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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 22—APPEALS OF PREFERENCE ELIGIBLES UNDER THE VETERANS PREFERENCE ACT OF 1944

PROSECUTION OF APPEAL

Effective upon publication in the FEDERAL REGISTER, a new section is added as follows:

§ 22.9a *Prosecution of appeals.* All appeals shall be processed by the appropriate office of the Civil Service Commission as promptly as the circumstances permit. Appellants and employing agencies are expected to cooperate in expediting the completion of appeals. In the discretion of the Commission, a reasonable time will be allowed to the parties to submit evidence at all stages of the proceedings, and reasonable requests for limited postponements of investigations, hearings, and adjudications of appeals will be granted. An appeal will be closed for failure to prosecute when an appellant does not furnish required information and duly proceed with the advancement of his appeal. A closed appeal will not be reopened except in the discretion of the Commission upon a showing that circumstances beyond the control of the appellant prevented him from prosecuting the appeal. In lieu of closing a case for failure to prosecute, it may be adjudicated if the information is sufficient for that purpose. (Sec. 11, 58 Stat. 390; 5 U. S. C. 860)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 49-4356; Filed, June 1, 1949; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 17]

PART 600—DESIGNATION OF CIVIL AIRWAYS DESIGNATION AND REDESIGNATION OF CIVIL AIRWAYS

It appearing that (1) the increased volume of air traffic between certain points

necessitates, in the interest of safety in air commerce, the immediate realignment and establishment of civil airways between such points; (2) the realignment and establishment of the civil airways referred to in (1) above, have been coordinated with the civil operators involved, the Army, and the Navy, through the Air Coordinating Committee, Airspace Subcommittee; and (3) compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required;

Now therefore, acting under authority contained in sections 205, 301, 302, 307 and 308 of the Civil Aeronautics Act of 1938, as amended, and pursuant to section 3 of the Administrative Procedure Act, I hereby amend the Code of Federal Regulations, Title 14, Chapter II, Part 600, as follows:

Designation and Redesignation of Civil Airways: Amber Civil Airway No. 1; Red Civil Airways Nos. 9, 10, 11, 20, 21, 23, 28, 35, 55, 57, 59, 62, 68, 83, 84, and 85; Blue Civil Airways Nos. 3, 4, 5, 13, 31, 35, 36, 44, 63, 64, 65, 66, and 67

1. Section 600.4 (b) (1) is amended to read:

(1) *Amber civil airway No. 1 (United States-Mexican Border to Nome, Alaska).* From the intersection of the southeast course of the San Diego, Calif., radio range and the United States-Mexican Border via the San Diego, Calif., radio range station; the intersection of the northwest course of the San Diego, Calif., radio range and the southeast course of the Long Beach, Calif., radio range; Long Beach, Calif., radio range station to the Los Angeles, Calif., radio range station. From the intersection of the north course of the Los Angeles, Calif., radio range and the southwest course of the Palmdale, Calif., radio range via the Bakersfield, Calif., radio range station; Fresno, Calif., radio range station; Sacramento, Calif., radio range station; Williams, Calif., radio range station; Red Bluff, Calif., radio range station; Fort Jones, Calif., radio range station; Medford, Oreg., radio range station; Eugene, Oreg., radio range station; Portland, Oreg., radio range station; Todelo, Wash., radio range station; Seattle, Wash., radio range station; Ev-

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1949 Edition

CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations, 1949 Edition, contains a codification of Federal administrative rules and regulations issued on or before December 31, 1948, and in effect as to facts arising on or after January 1, 1949.

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tion; McGrath, Alaska, radio range station; Unalakleet, Alaska, radio range station to the Nome, Alaska, radio range station.

2. Section 600.4 (c) (9) is amended to read:

(9) *Red civil airway No. 9 (San Diego, Calif., to Winslow, Ariz.)*. From the San Diego, Calif., radio range station via the El Centro, Calif., radio range station; Yuma, Ariz., radio range station; Gila Bend, Ariz., radio range station to the intersection of the east course of the Gila Bend, Ariz., radio range and the northwest course of the Tucson, Ariz., radio range. From the Phoenix, Ariz., VHF radio range station to the Winslow, Ariz., VHF radio range station.

3. Section 600.4 (c) (10) is amended to read:

(10) *Red civil airway No. 10 (Pueblo, Colo., to Charleston, S. C.)*. From the Pueblo, Colo., radio range station via the intersection of the northwest course of the Dalhart, Tex., VHF radio range and the east course of the Trinidad, Colo., radio range; Dalhart, Tex., VHF radio range station; the intersection of the southeast course of the Dalhart, Tex., VHF radio range and the north course of the Amarillo, Tex., radio range; Amarillo, Tex., radio range station; Wichita Falls, Tex., radio range station; to the intersection of the southeast course of the Wichita Falls, Tex., radio range and the north course of the Fort Worth, Tex., radio range; Dallas, Tex., radio range station; Shreveport, La., radio range station; Monroe, La., radio range station; Jackson, Miss., radio range station; Meridian, Miss., radio range station; Birmingham, Ala., radio range station; the intersection of the east course of the Birmingham, Ala., radio range and the west course of the Campbellton, Ga., radio range; Campbellton, Ga., radio range station to the Atlanta, Ga., radio range station. From the intersection of the northeast course of the Atlanta, Ga., radio range and the northwest course of the Augusta, Ga., radio range via the Augusta, Ga., radio range station to the Charleston, S. C. radio range station.

4. Section 600.4 (c) (11) is amended to read:

(11) *Red civil airway No. 11 (Tulsa, Okla., to Boston, Mass.)*. From the Tulsa, Okla., radio range station via Springfield, Mo., radio range station and the Vichy, Mo., radio range station to the intersection of the northeast course of the Vichy, Mo., radio range and the west course of the St. Louis, Mo., radio range. From the intersection of the east course of the St. Louis, Mo., radio range and the west course of the Evansville, Ind., radio range via the Evansville, Ind., radio range station; Louisville, Ky., radio range station; the intersection of the east course of the Louisville, Ky., radio range and the southwest course of the Huntington, W. Va., radio range to the Huntington, W. Va., radio range station. From the intersection of the east course of the Clear Creek, Ont., Canada, radio range and the southwest course of the

Buffalo, N. Y., radio range to the Dansville, N. Y., nondirectional radio marker beacon. From the Elmira, N. Y., radio range station via the Albany, N. Y., radio range station; Boston, Mass., radio range station to the intersection of the east course of the Boston, Mass., radio range and the northeast course of the Squantum, Mass. (Navy), radio range.

5. Section 600.4 (c) (20) is amended to read:

(20) *Red civil airway No. 20 (Lansing, Mich., to Washington, D. C.)*. From the Lansing, Mich., radio range station via the intersection of the northwest course of the Detroit, Mich., radio range and the northwest course of the Selfridge Field, Mich., radio range and the intersection of the northwest course of the Windsor, Ontario, Canada, radio range and the northwest course of the Selfridge Field, Mich., radio range to the intersection of the northwest course of the Windsor, Ontario, Canada, radio range and the United States-Canadian Border. From the intersection of the northwest course of the Cleveland, Ohio, radio range and the United States-Canadian Border via the Cleveland, Ohio, radio range station; Akron, Ohio, radio range station; Pittsburgh, Pa., radio range station; the intersection of the southeast course of the Pittsburgh, Pa., radio range and the northwest course of the Washington, D. C., radio range; the Washington, D. C., radio range station to the intersection of the southeast course of the Washington, D. C., radio range with Red civil airway No. 77, excluding that portion which lies more than 3 miles north of the southeast course of the Washington, D. C., radio range between the intersection of the Southeast course of the Washington, D. C., radio range and the south course of the Baltimore, Md., radio range and Red civil airway No. 77.

6. Section 600.4 (c) (21) is amended to read:

(21) *Red Civil airway No. 21 (Pittsburgh, Pa., to Boston, Mass.)*. From the Pittsburgh, Pa., radio range station via the intersection of the northeast course of the Pittsburgh, Pa., radio range and the north course of the Altoona, Pa., radio range to the Sunbury, Pa., radio marker station. From the intersection of the southeast course of the Wilkes-Barre, Pa., radio range and the west course of the Newark, N. J., radio range to the Newark, N. J., radio range station. From the intersection of the east course of the New York, N. Y. (La Guardia) radio range and the southwest course of the Bridgeport, Conn., radio range via the Bridgeport, Conn., radio range station to the intersection of the northeast course of the Bridgeport, Conn., radio range and the southeast course of the Hartford, Conn., radio range. From the intersection of the southeast course of the Hartford, Conn., radio range and the west course of the Quonset Point, R. I. (Navy) radio range via the intersection of the west course of the Quonset Point, R. I. (Navy) radio range and the southwest course of the Providence, R. I., radio range;

Providence, R. I., radio range station, excluding that portion more than 2 miles east of the southwest course of the Providence, R. I., radio range; Squantum, Mass. (Navy) radio range station, excluding that portion which lies more than 4 miles east of the southwest course of the Squantum, Mass. (Navy) radio range between the Providence, R. I., radio range station and a point 5 miles northeast to the intersection of the northeast course of the Squantum, Mass., (Navy) radio range and the east course of the Boston, Mass., radio range.

7. Section 600.4 (c) (23) is amended to read:

(23) *Red civil airway No. 23 (United States-Canadian Border to New York, N. Y.)*. From the intersection of the southeast course of the Fort Williams, Ont., Canada, radio range and the United States-Canadian Border via the Houghton, Mich., radio range station; Grand Marais, Mich., radio range station; the Sault Ste. Marie, Mich., radio range station to the intersection of the southeast course of the Sault Ste. Marie, Mich., radio range and the United States-Canadian Border. From the intersection of the southeast course of the Toronto, Ont., Canada, radio range and the United States-Canadian Border via the intersection of the southeast course of the Toronto, Ont., Canada, radio range and the northeast course of the Buffalo, N. Y., radio range; the intersection of the east course of the Buffalo, N. Y., radio range and the northwest course of the Elmira, N. Y., radio range; Elmira, N. Y., radio range station; the intersection of the southeast course of the Elmira, N. Y., radio range and the northwest course of the New York, N. Y. (La Guardia) radio range; the New York, N. Y. (La Guardia) radio range station to the intersection of the east course of the New York, N. Y. (La Guardia) radio range and the northeast course of the Mitchel Field, N. Y. (Army) radio range.

8. Section 600.4 (c) (28) is amended to read:

(28) *Red civil airway No. 28 (Rockford, Ill., to Detroit, Mich.)*. From the Rockford, Ill., radio range station via the intersection of the east course of the Rockford, Ill., radio range and the northwest course of the Chicago, Ill., radio range; Chicago, Ill., radio range station; the intersection of the northeast course of the Chicago, Ill., radio range and the southwest course of the Grand Rapids, Mich., radio range to the Grand Rapids, Mich., radio range station. From the Lansing, Mich., radio range station to the Willow Run Airport, Ypsilanti, Mich.

9. Section 600.4 (c) (35) is amended to read:

(35) *Red civil airway No. 35 (Pueblo, Colo., to Wichita, Kans.)*. From the Pueblo, Colo., radio range station via the La Junta, Colo., radio range station; Garden City, Kans., radio range station; Hutchinson, Kans., radio range station; the intersection of the east course of the Hutchinson, Kans., radio range and the northeast course of the Wichita, Kans., radio range.

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10. Section 600.4 (c) (55) is amended to read:

(55) *Red civil airway No. 55 (Burlington, Iowa, to Columbus, Ohio)*. From the Burlington, Iowa, radio range station via the Peoria, Ill., radio range to the intersection of the east course of the Peoria, Ill., radio range and the southwest course of the Joliet, Ill., radio range. From the Goshen, Ind., radio range station via the Findlay, Ohio, non-directional radio marker beacon to the Columbus, Ohio, radio range station.

11. Section 600.4 (c) (57) is amended to read:

(57) *Red civil airway No. 57 (Moline, Ill., to Youngstown, Ohio)*. From the Moline, Ill., radio range station via the Rockford, Ill., radio range station; Milwaukee, Wis., radio range station; Battle Creek, Mich., radio range station to the Toledo, Ohio, radio range station. From the intersection of the west course of the Cleveland, Ohio, radio range and the northwest course of the Akron, Ohio, radio range via the Akron, Ohio, radio range station to the Youngstown, Ohio, radio range station.

12. Section 600.4 (c) (59) is amended to read:

(59) *Red civil airway No. 59 (Gage, Okla., to Oklahoma City, Okla.)*. From the Gage, Okla., radio range station to the Oklahoma City, Okla., radio range station.

13. Section 600.4 (c) (62) is amended to read:

(62) *Red civil airway No. 62 (Lansing, Mich., to Pittsburgh, Pa.)*. From the Lansing, Mich., radio range station to the intersection of the southeast course of the Lansing, Mich., radio range and the west course of the Detroit, Mich., radio range. From the Detroit, Mich., radio range station via the intersection of the southeast course of the Detroit, Mich., radio range and the west course of the Wellington, Ohio, VHF radio range; Wellington, Ohio, VHF radio range station to the intersection of the east course of the Wellington, Ohio, VHF radio range and the northwest course of the Akron, Ohio, radio range. From the Akron, Ohio, radio range station to the intersection of the southeast course of the Cleveland, Ohio, radio range and the west course of the Pittsburgh, Pa., radio range.

14. Section 600.4 (c) (68) is amended to read:

(68) *Red civil airway No. 68 (El Paso, Tex., to Shreveport, La.)*. From the El Paso, Tex., radio range station via the intersection of the south course of the El Paso, Tex., radio range and the west course of the Hudspeth, Tex., VHF radio range; Hudspeth, Tex., VHF radio range station; Culberson, Tex., VHF radio range station; the intersection of the east course of the Culberson, Tex., VHF radio range and the southwest course of the Midland, Tex., radio range; Midland, Tex., radio range station; San Angelo, Tex., radio range station; the intersection of the northeast course of the San Angelo, Tex., radio range and the south

course of the Abilene, Tex., radio range to the Abilene, Tex., radio range station. From the intersection of the west course of the Fort Worth, Tex., radio range and the northwest course of the Waco, Tex., radio range via the intersection of the northwest course of the Waco, Tex., radio range and the west course of the Dallas, Tex., radio range to the Dallas, Tex., radio range station. From the Tyler, Tex., radio range station via the Longview, Tex., Gregg County Airport, to the Shreveport, La., radio range station.

15. Section 600.4 (c) (83) is added to read:

(83) *Red civil airway No. 83 (Tucson, Ariz., to Rodeo, N. Mex.)*. From the intersection of the southeast course of the Tucson, Ariz., radio range and the west course of the Cochise, Ariz., radio range via the intersection of the southeast course of the Tucson, Ariz., radio range and the northwest course of the Douglas, Ariz., radio range; Douglas, Ariz., radio range station; the intersection of the northeast course of the Douglas, Ariz., radio range and the southwest course of the Rodeo, N. Mex., radio range to the Rodeo, N. Mex., radio range station.

16. Section 600.4 (c) (84) is added to read:

(84) *Red civil airway No. 84 (New Orleans, La., to Biloxi, Miss.)*. From the Callendar, La., nondirectional radio marker beacon via the intersection of a bearing 70° true from the Callendar, La., nondirectional radio marker beacon with the southwest course of the Biloxi, Miss. (Keesler AFB) radio range to the Biloxi, Miss. (Keesler AFB) radio range station.

17. Section 600.4 (c) (85) is added to read:

(85) *Red civil airway No. 85 (Dayton, Ohio, to Mansfield, Ohio)*. From the Dayton, Ohio, radio range station to the Mansfield, Ohio, nondirectional radio marker beacon.

18. Section 600.4 (d) (3) is amended to read:

(3) *Blue civil airway No. 3 (Tallahassee, Fla., to Lafayette, Ind.)*. From the intersection of the northwest course of the Tallahassee, Fla., radio range and the southeast course of the Dothan, Ala., radio range via the Dothan, Ala., radio range station; the intersection of the northwest course of the Dothan, Ala., radio range and the east course of the Maxwell Field, Ala. (AFB) radio range, excluding that portion which lies more than 2 miles west of the northwest course of the Dothan, Ala., radio range between Lat. 31°20'00" Long. 85°34'00" and Lat. 31°34'00" Long. 85°42'00"; Maxwell Field, Ala. (AFB) radio range station; the intersection of the west course of the Maxwell Field, Ala. (AFB) radio range and the south course of the Birmingham, Ala., radio range to the Birmingham, Ala., radio range station. From the Muscle Shoals, Ala., radio range station to the intersection of the northeast course of the Muscle Shoals, Ala., radio range and the southwest course of the Nashville, Tenn., radio range. From the

Nashville, Tenn., radio range station via the intersection of the northwest course of the Nashville, Tenn., radio range and the south course of the Evansville, Ind., radio range; Evansville, Ind., radio range station; Terre Haute, Ind., radio range station; the intersection of the north course of the Terre Haute, Ind., radio range and the southwest course of the Lafayette, Ind., radio range; Lafayette, Ind., radio range station to the intersection of the northeast course of the Lafayette, Ind., radio range and the north course of the Indianapolis, Ind., radio range.

19. Section 600.4 (d) (4) is amended to read:

(4) *Blue civil airway No. 4 (Nantucket, Mass., to United States-Canadian Border)*. From the Nantucket, Mass., VHF radio range station via the intersection of the northwest course of the Nantucket, Mass., VHF radio range and the southeast course of the Squantum, Mass. (Navy) radio range to the Squantum, Mass. (Navy) radio range station. From the Boston, Mass., radio range station, via the intersection of the northeast course of the Boston, Mass., radio range and the southeast course of the Concord, N. H., radio range; Concord, N. H., radio range station; Burlington, Vt., radio range station to the intersection of the northwest course of the Burlington, Vt., radio range and the United States-Canadian Border.

20. Section 600.4 (d) (5) is amended to read:

(5) *Blue civil airway No. 5 (Galveston, Tex., to Salina, Kans.)*. From the Municipal Airport, Galveston, Tex., via the Galveston, Tex., radio range station; Houston, Tex., radio range station; the intersection of the northwest course of the Houston, Tex., radio range and the southeast course of the Bryan, Tex., radio range; Bryan, Tex., (radio range station; Waco, Tex., radio range station; the intersection of the northeast course of the Waco, Tex., radio range and the south course of the Dallas, Tex., radio range; Dallas, Tex., radio range station to the intersection of the northwest course of the Dallas, Tex., radio range and the north course of the Fort Worth, Tex., radio range. From the Oklahoma City, Okla., radio range station via the intersection of the north course of the Oklahoma City, Okla., radio range and the southeast course of the Wichita, Kans., radio range; Wichita, Kans., radio range station to the intersection of the north course of the Wichita, Kans., radio range and the east course of the Hutchinson, Kans., radio range. From the intersection of the east course of the Hutchinson, Kans., radio range and the south course of the Salina, Kans. (Smoky Hill AFB) radio range to the Salina, Kans. (Smoky Hill AFB) radio range station, excluding those portions which overlap danger areas.

21. Section 600.4 (d) (13) is amended to read:

(13) *Blue civil airway No. 13 (Houston, Tex., to Minneapolis, Minn.)*. From the Houston, Tex., radio range station

via the Shreveport, La., radio range station to the intersection of the northwest course of the Shreveport, La., radio range and the southwest course of the Texarkana, Ark., radio range. From the Texarkana, Ark., radio range station via the Fort Smith, Ark., Airport; the Joplin, Mo., radio range station and the intersection of the north course of the Joplin, Mo., radio range and the southeast course of the Kansas City, Mo., radio range to the Kansas City, Mo., radio range station. From the intersection of the northeast course of the Kansas City, Mo., radio range and the south course of the Des Moines, Iowa, radio range to the Des Moines, Iowa, radio range station. From the Mason City, Iowa, non-directional radio marker beacon to the Stanton, Minn., non-directional radio marker beacon.

22. Section 600.4 (d) (31) is amended to read:

(31) *Blue civil airway No. 31 (New Florence, Mo., to Moline, Ill.)*. From the New Florence, Mo., non-directional radio marker beacon to the Kirksville, Mo., radio range station. From the intersection of the northeast course of the Burlington, Iowa radio range and the south course of the Moline, Ill., radio range to the Moline, Ill., radio range station.

23. Section 600.4 (d) (35) is amended to read:

(35) *Blue civil airway No. 35 (Topeka, Kans., to Kirksville, Mo.)*. From the intersection of the southwest course of the Topeka, Kans. (AFB) radio range and a point 20 miles southwest of the Topeka, Kans. (AFB) radio range station via the Topeka, Kans. (AFB) radio range station to the intersection of the northeast course of the Topeka, Kans. (AFB) radio range and the northwest course of the Kansas City, Mo., radio range. From the St. Joseph, Mo., radio range station to the intersection of the east course of the St. Joseph, Mo., radio range and the northeast course of the Kansas City, Mo., radio range.

24. Section 600.4 (d) (36) is amended to read:

(36) *Blue civil airway No. 36 (Thurman, Colo., to North Platte, Nebr.)*. From the intersection of the east course of the Thurman, Colo., VHF radio range and the south course of the Akron, Colo., radio range via the Akron, Colo., radio range station to the North Platte, Nebr., radio range station.

25. Section 600.4 (d) (44) is amended to read:

(44) *Blue civil airway No. 44 (Advance, Mo., to the United States-Canadian Border)*. From the Advance, Mo., radio range station via the Paducah, Ky., Paducah-McCracken County Airport, to the Evansville, Ind., radio range station. From the intersection of the east course of the Evansville, Ind., radio range and the southwest course of the Scotland, Ind., VHF radio range via Scotland, Ind., VHF radio range station to the intersection of the northeast course of the Scotland, Ind., VHF radio range and the

west course of the Indianapolis, Ind., radio range. From the Indianapolis, Ind., radio range station via the Fort Wayne, Ind., radio range station; the intersection of the northeast course of the Fort Wayne, Ind., radio range and the east course of the Goshen, Ind., radio range; the intersection of the north course of the Toledo, Ohio, radio range and the southwest course of the Windsor, Ontario, Canada, radio range to the intersection of the southwest course of the Windsor, Ontario, Canada, radio range and the United States-Canadian Border.

26. Section 600.4 (d) (63) is added to read:

(63) *Blue civil airway No. 63 (Olathe, Kans., to Topeka, Kans.)*. From the intersection of the northeast course of the Lebo, Kans., radio range and the south course of the Topeka, Kans., VHF radio range to the Topeka, Kans., VHF radio range station.

27. Section 600.4 (d) (64) is added to read:

(64) *Blue civil airway No. 64 (Lebo, Kans., to Topeka, Kans.)*. From the Lebo, Kans., radio range station to the Topeka, Kans. (AFB) radio range station.

28. Section 600.4 (d) (65) is added to read:

(65) *Blue civil airway No. 65 (Garden City, Kans., to Goodland, Kans.)*. From the Garden City, Kans., radio range station to the intersection of the north course of the Garden City, Kans., radio range and the east course of the Goodland, Kans., VHF radio range.

29. Section 600.4 (d) (66) is added to read:

(66) *Blue civil airway No. 66 (Bridgeport, Conn., to Poughkeepsie, N. Y.)*. From the Bridgeport, Conn., radio range station to the intersection of the northwest course of the Bridgeport, Conn., radio range and the east course of the Poughkeepsie, N. Y., radio range.

30. Section 600.4 (d) (67) is added to read:

(67) *Blue civil airway No. 67 (Yuma, Ariz., to Las Vegas, Nev.)*. From the Yuma, Ariz., radio range station via the Blythe, Calif., radio range station; Needles, Calif., radio range station to the intersection of the north course of the Needles, Calif., radio range and the southeast course of the Las Vegas, Nev., radio range.

This amendment shall become effective 0001 e. s. t., May 31, 1949.

(Secs. 205 (a), 308, 52 Stat. 984, 986; 49 U. S. C. 425 (a), 458; Reorg. Plan No. IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2421. Interprets or applies secs. 301, 302, 307, 52 Stat. 985, 986, as amended, Pub. Law 872, 80th Cong.; 49 U. S. C. 451, 452, 457)

[SEAL]

D. W. RENTZEL,
Administrator of Civil Aeronautics.

[F. R. Doc. 49-4358; Filed, June 1, 1949; 8:50 a. m.]

[Amtd. 22]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

DESIGNATION AND REDESIGNATION OF CONTROL AREAS, CONTROL ZONES AND REPORTING POINTS

It appearing that (1) the increased volume of air traffic between certain points necessitates, in the interest of safety in air commerce, the immediate redesignation and establishment of control areas, including control zones and reporting points between such locations; (2) the redesignation and establishment of the control areas and control zones referred to in (1) above, have been coordinated with the civil operators involved, the Army and the Navy, through the Air Coordinating Committee, Airspace Subcommittee; and (3) compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required;

Now therefore, acting under authority contained in sections 205, 301, 302, 307 and 308 of the Civil Aeronautics Act of 1938, as amended, and pursuant to section 3 of the Administrative Procedure Act, I hereby amend the Code of Federal Regulations, Title 14, Chapter II, Part 601, as follows:

Designation and Redesignation of Control Areas: Red Civil Airways Nos. 21, 28, 55, 57, 59, 62, 68, 83, 84 and 85; Blue Civil Airways Nos. 4, 5, 13, 31, 35, 36, 44, 63, 64, 65, 66 and 67; Designation and Redesignation of Control Zones. Designation and Redesignation of Reporting Points: Green Civil Airways Nos. 2, 3, 5, 7 and 8; Amber Civil Airways Nos. 1, 3, 4, and 7; Red Civil Airways Nos. 1, 11, 20, 21, 28, 30, 39, 40, 50, 55, 57, 59, 62, 64, 68, 83, 84 and 85; Blue Civil Airways Nos. 4, 5, 13, 17, 21, 25, 26, 27, 31, 35, 36, 39, 40, 44, 63, 64, 65, 66 and 67

1. Section 601.4 (c) (21) is amended by changing caption to read: "(21) *Red civil airway No. 21 (Pittsburgh, Pa., to Boston, Mass.)*."

2. Section 601.4 (c) (28) is amended by changing caption to read: "(28) *Red civil airway No. 28 (Rockford, Ill., to Detroit, Mich.)*."

3. Section 601.4 (c) (55) is amended by changing caption to read: "(55) *Red civil airway No. 55 (Burlington, Iowa, to Columbus, Ohio)*."

4. Section 601.4 (c) (57) is amended by changing caption to read: "(57) *Red civil airway No. 57 (Moline, Ill., to Youngstown, Ohio)*."

5. Section 601.4 (c) (59) is amended by changing caption to read: "(59) *Red civil airway No. 59 (Gage, Okla., to Oklahoma City, Okla.)*."

6. Section 601.4 (c) (62) is amended by changing caption to read: "(62) *Red civil airway No. 62 (Lansing, Mich., to Pittsburgh, Pa.)*."

7. Section 601.4 (c) (68) is amended by changing caption to read: "(68) *Red civil airway No. 68 (El Paso, Tex., to Shreveport, La.)*."

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8. Section 601.4 (c) (83) is added to read:

(83) *Red civil airway No. 83 (Tucson, Ariz., to Rodeo, N. Mex.)*. All of Red civil airway No. 83.

9. Section 601.4 (c) (84) is added to read:

(84) *Red civil airway No. 84 (New Orleans, La., to Biloxi, Miss.)*. All of Red civil airway No. 84.

10. Section 601.4 (c) (85) is added to read:

(85) *Red civil airway No. 85 (Dayton, Ohio, to Mansfield, Ohio)*. All of Red civil airway No. 85.

11. Section 601.4 (d) (4) is amended by changing caption to read: "(4) *Blue civil airway No. 4 (Nantucket, Mass., to United States-Canadian Border)*."

12. Section 601.4 (d) (5) is amended by changing caption to read: "(5) *Blue civil airway No. 5 (Galveston, Tex., to Salina, Kansas)*."

13. Section 601.4 (d) (13) is amended by changing caption to read: "(13) *Blue civil airway No. 13 (Houston, Tex., to Minneapolis, Minn.)*."

14. Section 601.4 (d) (31) is amended by changing caption to read: "(31) *Blue civil airway No. 31 (New Florence, Mo., to Moline, Ill.)*."

15. Section 601.4 (d) (35) is amended by changing caption to read: "(35) *Blue civil airway No. 35 (Topeka, Kans., to Kirksville, Mo.)*."

16. Section 601.4 (d) (36) is amended by changing caption to read: "(36) *Blue civil airway No. 36 (Thurman, Colo., to North Platte, Nebr.)*."

17. Section 601.4 (d) (44) is amended to read:

(44) *Blue civil airway No. 44 (Advance, Mo., to the United States-Canadian Border)*. All of Blue civil airway No. 44 from the Advance, Mo., radio range station to a line extended at right angles across such airway through a point 25 miles east of the Advance, Mo., radio range station; from a line extended at right angles across such airway through a point 50 miles southwest of the Evansville, Ind., radio range station to the United States-Canadian Border.

18. Section 601.4 (d) (63) is added to read:

(63) *Blue civil airway No. 63 (Olathe, Kans., to Topeka, Kans.)*. All of Blue civil airway No. 63.

19. Section 601.4 (d) (64) is added to read:

(64) *Blue civil airway No. 64 (Lebo, Kans., to Topeka, Kans.)*. All of Blue civil airway No. 64.

20. Section 601.4 (d) (65) is added to read:

(65) *Blue civil airway No. 65 (Garden City, Kans., to Goodland, Kans.)*. All of Blue civil airway No. 65.

21. Section 601.4 (d) (66) is added to read:

(66) *Blue civil airway No. 66 (Bridgeport, Conn., to Poughkeepsie, N. Y.)*. All of Blue civil airway No. 66.

22. Section 601.4 (d) (67) is added to read:

(67) *Blue civil airway No. 67 (Yuma, Ariz., to Las Vegas, Nev.)*. All of Blue civil airway No. 67.

23. Section 601.4 (e) (25) *Control area extension (Garden City, Kans.)* is revoked.

24. Section 601.4 (e) (25) is added to read:

(25) *Control area extension (New Orleans, La.)*. All that area within a 25 mile radius of the New Orleans, La., radio range station (located in the southeast quadrant) bounded by the southern limits of Green civil airway No. 6 and the eastern limits of Amber civil airway No. 5.

25. Section 601.4 (e) (28) *Control area extension (Kirksville, Mo.)* is revoked.

26. Section 601.4 (e) (28) is added to read:

(28) *Control area extension (Monroe, La.)*. From the Monroe, La., radio range station extending 5 miles either side of the southwest course of the radio range to a point 20 miles southwest of the radio range station.

27. Section 601.4 (e) (37) is amended to read:

(37) *Control area extension (Pensacola, Fla.)*. From the Pensacola, Fla., radio range station extending 5 miles either side of the south course of the radio range to a point 20 miles south of the radio range station.

28. Section 601.4 (e) (37) is amended to read:

(37) *Control area extension (Akron, Ohio)*. From the Akron-Canton Airport, Akron, Ohio, ILS localizer extending 5 miles either side of the localizer course to a point 20 miles south of the ILS outer marker, and extending 5 miles either side of a direct line between the Akron, Ohio, radio range station and the Brecksville, Ohio, fan marker.

29. Section 601.4 (e) (122) is amended to read:

(122) *Control area extension (Lubbock, Tex.)*. From the Lubbock, Tex., radio range station extending 5 miles either side of the west course of the radio range to a point 20 miles west of the radio range station.

30. Section 601.4 (e) (163) is added to read:

(163) *Control area extension (Vero Beach, Fla.)*. From the Vero Beach, Fla., non-directional radio marker beacon extending 5 miles either side of a track 290° magnetic to its intersection with Blue civil airway No. 19.

31. Section 601.4 (e) (164) is added to read:

(164) *Control area extension (Quonset Point, R. I.)*. Within a 7 mile radius of the Quonset Point, R. I., Naval Air Station extending 5 miles either side of the southeast course of the Quonset Point, R. I. (Navy) radio range to a point 16 miles southeast of the radio range station, excluding that portion overlapping

danger areas and excluding the area below 2,000 feet which lies more than 7 miles southeast of the Naval Air Station.

32. Section 601.4 (e) (165) is added to read:

(165) *Control area extension (Oakland, Calif.)*. All that area in the vicinity of Hayward, Calif., bounded by the eastern boundary of Blue civil airway No. 10, the southern boundary of Red civil airway No. 60 and the northern boundary of Blue civil airway No. 60.

33. Section 601.4 (e) (166) is added to read:

(166) *Control area extension (Mobile, Ala.)*. From the Mobile, Ala., radio range station extending 5 miles on the southwest side and 2 miles on the northeast side of the southeast course of the Mobile, Ala., radio range to a point 10 miles southeast of the intersection of the southeast course of the Mobile, Ala., radio range and the west course of the Pensacola, Fla., radio range.

34. Section 601.8 (b) is amended by deleting the following airport: "Asheville, N. C.: Asheville-Hendersonville Airport."

35. Section 601.8 (c) (6) is amended to read:

(6) *Buffalo, N. Y., control zone*. Within a 5 mile radius of the Municipal Airport extending 2 miles either side of the northeast course of the Buffalo, N. Y., radio range to the Walcottville fan marker, within 2 miles either side of the southwest course of the Buffalo radio range to the Angola fan marker, and within 2 miles either side of the east course of the Buffalo radio range to the East Pembroke fan marker.

36. Section 601.8 (c) (122) is amended to read:

(122) *Detroit, Mich., control zone*. Within a 5 mile radius of the Detroit-Wayne Major Airport extending 2 miles either side of the west course of the radio range to the Saline fan marker, including the area within a 6 mile radius of the Willow Run Airport.

37. Section 601.8 (c) (128) Ypsilanti, Mich., control zone is revoked.

38. Section 601.8 (c) (128) is added to read:

(128) *Wilmington, N. C., control zone*. Within a 5 mile radius of the New Hanover County Airport, Wilmington, N. C., extending 2 miles either side of the northeast and southwest courses of the Wilmington, N. C., VHF radio range to a point 10 miles northeast of the radio range station.

39. Section 601.8 (c) (177) is amended to read:

(177) *Las Vegas, Nev., control zone*. Within a 5 mile radius of McCarran Field, Las Vegas, Nev., extending 2 miles either side of the southwest course of the Las Vegas, Nev., radio range to and including a 5 mile radius of the Las Vegas, Nev., Air Force Base.

40. Section 601.8 (c) (231) is amended to read:

(231) *Vero Beach, Fla., control zone.* Within a 5 mile radius of the Vero Beach Airport extending 2 miles either side of a track 290° magnetic to a point 10 miles west of the airport.

41. Section 601.8 (c) (254) is added to read:

(254) *Falmouth, Mass., control zone.* Within a 3 mile radius of the Otis AFB, Falmouth, Mass., excluding that portion overlapping danger areas.

42. Section 601.8 (c) (255) is added to read:

(255) *Aquidilla, P. R., control zone.* Within a 10 mile radius of the Ramey AFB, Aquidilla, P. R.

43. Section 601.9 (a) (2) is amended to read:

(2) *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.).* Seattle, Wash., radio range station; Ellensburg, Wash., radio range station; Ephrata, Wash., radio range station; Spokane, Wash., radio range station; Coeur d'Alene, Idaho, radio range station; Mullan Pass, Idaho, radio range station; Superior, Mont., radio range station; Missoula, Mont., radio range station; Drummond, Mont., radio range station; Helena, Mont., radio range station; Bozeman, Mont., radio range station; Livingston, Mont., radio range station; Billings, Mont., radio range station; Custer, Mont., radio range station; Miles City, Mont., radio range station; Dickinson, N. Dak., radio range station; Bismarck, N. Dak., radio range station; Jamestown, N. Dak., radio range station; Fargo, N. Dak., radio range station; Alexandria, Minn., radio range station; Minneapolis, Minn., radio range station; LaCrosse, Wis., radio range station; Lone Rock, Wis., radio range station; Milwaukee, Wis., radio range station; Muskegon, Mich., radio range station; Grand Rapids, Mich., radio range station; Lansing, Mich., radio range station; the intersection of the north course of the Salem, Mich., VHF radio range and the east course of the Lansing, Mich., radio range; Detroit, Mich., radio range station; Buffalo, N. Y., radio range station; Rochester, N. Y., radio range station; Utica, N. Y., radio range station; Albany, N. Y., radio range station; Westfield, Mass., radio range station; the intersection of the northeast course of Hartford, Conn., radio range and the southeast course of the Westfield, Mass., radio range; Franklin, Mass., fan type radio marker beacon or the intersection of the northeast course of the Providence, R. I., radio range and the southwest course of the Boston, Mass., radio range; Boston, Mass., radio range station.

44. Section 601.9 (a) (3) is amended to read:

(3) *Green civil airway No. 3 (San Francisco, Calif., to New York, N. Y.).* San Francisco, Calif., radio range station; Oakland, Calif., radio range station; Bay Point, Calif., fan type radio marker station or the intersection of the northeast course of the Oakland, Calif., radio range and the south course of the Williams, Calif., radio range; Sacramento, Calif.,

radio range station; Donner Summit, Calif., radio range station; Reno, Nev., radio range station; Humboldt, Nev., radio range station; Elko, Nev., radio range station; Lucin, Utah, radio range station; Ogden, Utah, radio range station; Fort Bridger, Wyo., radio range station; Rock Springs, Wyo., radio range station; Sinclair, Wyo., radio range station; Cheyenne, Wyo., radio range station; the intersection of the east course of the Cheyenne, Wyo., radio range and the southwest course of the Scottsbluff, Nebr., radio range; the intersection of the southeast course of the Scottsbluff, Nebr., radio range and the west course of the North Platte, Nebr., radio range; North Platte, Nebr., radio range station; Grand Island, Nebr., radio range station; Omaha, Nebr., radio range station; Des Moines, Iowa, radio range station; Moline, Ill., radio range station; the intersection of the southeast course of the Rockford, Ill., radio range and the west course of the Chicago, Ill., radio range; Goshen, Ind., radio range station; Toledo, Ohio, radio range station; the intersection of the southeast course of the Detroit, Mich., radio range and the west course of the Cleveland, Ohio, radio range; Cleveland, Ohio, radio range station; Youngstown, Ohio, radio range station; Brookville, Pa., non-directional radio marker beacon; Phillipsburg, Pa., radio range station; the intersection of the east course of the Phillipsburg, Pa., radio range and the south course of the Williamsport, Pa., radio range; Allentown, Pa., radio range station; the intersection of the southwest course of the New York, N. Y. (LaGuardia), radio range and the northwest course of the Floyd Bennett, N. Y. (Navy), radio range; New York, N. Y. (LaGuardia), radio range station.

45. Section 601.9 (a) (5) is amended to read:

(5) *Green civil airway No. 5 (Los Angeles, Calif., to Boston, Mass.).* Riverside, Calif., radio range station; Blythe, Calif., radio range station; Phoenix, Ariz., radio range station; Tucson, Ariz., radio range station; Rodeo, N. Mex., radio range station; Columbus, N. Mex., radio range station; Wink, Tex., radio range station; Big Spring, Tex., radio range station; Abilene, Tex., radio range station; Fort Worth, Tex., radio range station; Texarkana, Ark., radio range station; Memphis, Tenn., radio range station; Jackson, Tenn., radio range station; Nashville, Tenn., radio range station; Smithville, Tenn., radio range station; Knoxville, Tenn., radio range station; Tri-City, Tenn., radio range station; Roanoke, Va., radio range station; Gordonsville, Va., radio range station; Doncaster, Md., fan type marker station or the intersection of the northeast course of the Gordonsville, Va., radio range station and the south course of the Washington, D. C., radio range station; Bradywine, Md., radio range station; the intersection of the southeast course of the Baltimore, Md., radio range and the southwest course of the Millville, N. J., radio range; Millville, N. J., radio range station; the intersection of the southeast course of the Newark, N. J., radio range and the southwest course of the

Mitchel Field, N. Y. (Army) radio range; the intersection of the east course of the New York, N. Y. (LaGuardia) radio range and the northeast course of the Mitchel Field, N. Y. (Army) radio range; the intersection of the southwest course of the Boston, Mass., radio range and the southeast course of the Hartford, Conn., radio range; the intersection of the west course of the Providence, R. I., radio range and the southwest course of the Boston, Mass., radio range.

46. Section 601.9 (a) (7) is amended to read:

(7) *Green civil airway No. 7 (Nome, Alaska to Fairbanks, Alaska).* Fairbanks, Alaska, radio range station.

47. Section 601.9 (a) (8) is amended to read:

(8) *Green civil airway No. 8 (Attu, Alaska, to Northway, Alaska).* Heiden, Alaska, radio range station; Naknek, Alaska, radio range station; the intersection of the northeast course of the Naknek, Alaska, radio range and the southwest course of the Iliamna, Alaska, radio range; the intersection of the southeast course of the Iliamna, Alaska, radio range and the west course of the Homer, Alaska, radio range; the intersection of the west course of the Homer, Alaska, radio range and the southwest course of the Kenai, Alaska, radio range; Homer, Alaska, radio range station; the intersection of the east course of the Kenai, Alaska, radio range and the southwest course of the Anchorage, Alaska, radio range; Anchorage, Alaska, radio range station; the intersection of the northeast course of the Anchorage, Alaska, radio range and the southeast course of the Skwentna, Alaska, radio range; Northway, Alaska, radio range station.

48. Section 601.9 (b) (1) is amended to read:

(1) *Amber civil airway No. 1 (United States-Mexican Border to Nome, Alaska).* San Diego, Calif., radio range station; the intersection of the northwest course of the San Diego, Calif., radio range and the southeast course of the Long Beach, Calif., radio range; Bakersfield, Calif., radio range station; Fresno, Calif., radio range station; Williams, Calif., radio range station; Red Bluff, Calif., radio range station; Fort Jones, Calif., radio range station; Medford, Oreg., radio range station; Eugene, Oreg., radio range station; Portland, Oreg., radio range station; Toledo, Wash., radio range station; Everett, Wash., radio range station; Bellingham, Wash., radio range station; the intersection of the east course of the Cordova (Hinchinbrook Island), Alaska, radio range and the southeast course of the Cordova (Mile 13), Alaska, radio range; Cordova, Alaska (Hinchinbrook Island), radio range station; the intersection of the northwest course of the Cordova, Alaska (Hinchinbrook Island), radio range and the southeast course of the Anchorage, Alaska, radio range; the intersection of the northeast course of the Kenai, Alaska, radio range and the northwest course of the Anchorage, Alaska, radio range; Skwentna, Alaska, radio range station.

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49. Section 601.9 (b) (3) is amended to read:

(3) *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.)*. Engle, N. Mex., radio range station; Las Vegas, N. Mex., radio range station; Trinidad, Colo., radio range station; Pueblo, Colo., radio range station; Colorado Springs, Colo., radio range station; Denver, Colo., radio range station; the intersection of the north course of the Cheyenne, Wyo., radio range and the northeast course of the Laramie, Wyo., radio range; Casper, Wyo., radio range station; Sheridan, Wyo., radio range station; Lewistown, Mont., radio range station.

50. Section 601.9 (b) (4) is amended to read:

(4) *Amber civil airway No. 4 (Brownsville, Tex., to Minot, N. Dak.)*. Brownsville, Tex., radio range station; the intersection of the south course of the Alice, Tex., radio range and the southwest course of the Corpus Christi, Tex., radio range; the intersection of the south course of the Alamo (San Antonio), Tex., radio range and the southeast course of the San Antonio, Tex., radio range; Alamo (San Antonio), Tex., radio range station; Cibola, Tex., fan type radio marker station or the intersection of the north course of the Alamo (San Antonio), Tex., radio range and the southwest course of the Austin, Tex., radio range; Austin, Tex., radio range station; Waco, Tex., radio range station; the intersection of the south course of the Fort Worth, Tex., radio range and the west course of the Dallas, Tex., radio range; Oklahoma City, Okla., radio range station; Tulsa, Okla., radio range station; Chanute, Kans., radio range station; St. Joseph, Mo., radio range station; Sioux City, Iowa, radio range station; Sioux Falls, S. Dak., radio range station; Huron, S. Dak., radio range station; Aberdeen, S. Dak., radio range station; Minot, N. Dak., radio range station.

51. Section 601.9 (b) (7) is amended to read:

(7) *Amber civil airway No. 7 (Key West, Fla., to Caribou, Maine)*. Key West, Fla., radio range station; Miami, Fla., radio range station; West Palm Beach, Fla., radio range station; Melbourne, Fla., radio range station; Daytona Beach, Fla., radio station; Brunswick, Ga., radio marker beacon; Savannah, Ga., radio range station; Charleston, S. C., radio range station; Florence, S. C., radio range station; Raleigh, N. C., radio range station; the intersection of the southwest course of the Richmond, Va., radio range and the southeast of the Blackstone, Va., radio range; Washington, D. C., radio range station; the intersection of the northeast course of the Washington, D. C. radio range and the west course of the Baltimore, Md., radio range; Newark, N. J., radio range station; Hartford, Conn., radio range station; Portland, Maine, radio range station; Augusta, Maine, radio range station; Bangor, Maine, radio range station; Presque Isle, Maine, radio range station.

52. Section 601.9 (c) (1) is amended to read:

(1) *Red civil airway No. 1 (Portland, Oreg., to Kansas City, Mo.)*. Pendleton, Oreg., radio range station; Baker, Oreg., radio range station; Boise, Idaho, radio range station; Gooding, Idaho, non-directional radio marker beacon; Burley, Idaho, radio range station; Laramie, Wyo., radio range station; Goodland, Kans., VHF radio range station; Salina, Kans., radio range station; Fort Riley, Kans. (Marshall AFB), radio range station; Topeka, Kans., VHF radio range station.

53. Section 601.9 (c) (11) is amended to read:

(11) *Red civil airway No. 11 (Tulsa, Okla., to Boston, Mass.)*. The intersection of the south course of the Joplin, Mo., radio range and the northeast course of the Tulsa, Okla., radio range; Springfield, Mo., radio range station; Vichy, Mo., radio range station; the intersection of the northeast course of the Scott Field, Belleville, Ill., radio range and the northwest course of the Evansville, Ind., radio range; Evansville, Ind., radio range station; the intersection of the east course of the Louisville, Ky., radio range and the northwest course of the Lexington, Ky., radio range; Huntington, W. Va., radio range station; Elmira, N. Y., radio range station; the intersection of the northeast course of the Westover Field, Chicopee Falls, Mass., radio range and the west course of the Boston, Mass., radio range; the intersection of the east course of the Boston, Mass., radio range and the northeast course of the Squantum, Mass. (Navy) radio range.

54. Section 601.9 (c) (20) is amended to read:

(20) *Red civil airway No. 20 (Lansing, Mich., to Washington, D. C.)*. Akron, Ohio, radio range station; the intersection of the south course of the Youngstown, Ohio, radio range and the northwest course of the Pittsburgh, Pa., radio range; the intersection of the northwest course of the Washington, D. C., radio range and the northeast course of the Martinsburg, W. Va., radio range; the intersection of the southeast course of the Washington, D. C., radio range and the northeast course of the Patuxent River, Md., (Navy) radio range.

55. Section 601.9 (c) (21) is amended to read:

(21) *Red civil airway No. 21 (Pittsburgh, Pa., to Boston, Mass.)*. The intersection of the northeast course of the Pittsburgh, Pa., radio range and the north course of the Altoona, Pa., radio range; the intersection of the northeast course of the Allentown, Pa., radio range and the west course of the Newark, N. J., radio range.

56. Section 601.9 (c) (28) is amended by changing caption to read: "(28) *Red civil airway No. 28 (Rockford, Ill., to Detroit, Mich.)*."

57. Section 601.9 (c) (30) is amended to read:

(30) *Red civil airway No. 30 (Shreveport, La., to Jacksonville, Fla.)*. Alexandria, La., radio range station; Baton Rouge, La., radio range station; the in-

tersection of the northeast course of the Mobile, Ala., radio range and the west course of the Crestview, Fla., radio range; Crestview, Fla., radio range station; Tallahassee, Fla., radio range station.

58. Section 601.9 (c) (39) is amended to read:

(39) *Red civil airway No. 39 (Bethel, Alaska, to Fairbanks, Alaska)*. Nenana, Alaska, radio range station.

59. Section 601.9 (c) (40) is amended to read:

(40) *Red civil airway No. 40 (Shemya, Alaska, to Anchorage, Alaska)*. Kenai, Alaska, radio range station; the intersection of the northeast course of the Kenai, Alaska, radio range and the west course of the Anchorage (Merrill), Alaska, radio range.

60. Section 601.9 (c) (50) is amended to read:

(50) *Red civil airway No. 50 (Galena, Alaska, to Fairbanks, Alaska)*. No reporting point designation.

61. Section 601.9 (c) (55) is amended by changing caption to read: "(55) *Red civil airway No. 55 (Burlington, Iowa, to Columbus, Ohio)*."

62. Section 601.9 (c) (57) is amended by changing caption to read: "(57) *Red civil airway No. 57 (Moline, Ill., to Youngstown, Ohio)*."

63. Section 601.9 (c) (59) is amended to read:

(59) *Red civil airway No. 59 (Gage, Okla., to Oklahoma City, Okla.)*. No reporting point designation.

64. Section 601.9 (c) (62) is amended by changing caption to read: "(62) *Red civil airway No. 62 (Lansing, Mich., to Pittsburgh, Pa.)*."

65. Section 601.9 (c) (64) is amended to read:

(64) *Red civil airway No. 64 (United States-Canadian Border to Annette Island, Alaska)*. Annette Island, Alaska, radio range station.

66. Section 601.9 (c) (68) is amended by changing caption to read: "(68) *Red civil airway No. 68 (El Paso, Tex., to Shreveport, La.)*."

67. Section 601.9 (c) (83) is added to read:

(83) *Red civil airway No. 83 (Tucson, Ariz., to Rodeo, N. Mex.)*. No reporting point designation.

68. Section 601.9 (c) (84) is added to read:

(84) *Red civil airway No. 84 (New Orleans, La., to Biloxi, Miss.)*. No reporting point designation.

69. Section 601.9 (c) (85) is added to read:

(85) *Red civil airway No. 85 (Dayton, Ohio, to Mansfield, Ohio)*. No reporting point designation.

70. Section 601.9 (d) (4) is amended to read:

(4) *Blue civil airway No. 4 (Nantucket, Mass., to United States-Canadian Border)*. Concord, N. H., radio range sta-

tion; the intersection of the southeast course of the Burlington, Vt., radio range and the southwest course of the Montpelier, Vt., radio range; Burlington, Vt., radio range station.

71. Section 601.9 (d) (5) is amended by changing caption to read: "(5) *Blue civil airway No. 5 (Galveston, Tex., to Salina, Kans.).*"

72. Section 601.9 (d) (13) is amended by changing caption to read: "(13) *Blue civil airway No. 13 (Houston, Tex., to Minneapolis, Minn.).*"

73. Section 601.9 (d) (17) is amended to read:

(17) *Blue civil airway No. 17 (Milinocket, Maine, to Presque Isle, Maine). Houlton, Maine, radio range station.*

74. Section 601.9 (d) (21) is amended to read:

(21) *Blue civil airway No. 21 (Charleston, W. Va., to Erie, Pa.). Parkersburg, W. Va., VHF radio range station.*

75. Section 601.9 (d) (25) is amended to read:

(25) *Blue civil airway No. 25 (Cordova, Alaska, to Big Delta, Alaska). No reporting point designation.*

76. Section 601.9 (d) (26) is amended to read:

(26) *Blue civil airway No. 26 (Anchorage, Alaska, to Nenana, Alaska). The intersection of the north course of the Anchorage, Alaska, (Merrill) localizer radio range and the southeast course of the Skwentna, Alaska, radio range; the intersection of the northeast course of the Summit, Alaska, radio range and the southeast course of the Nenana, Alaska, radio range.*

77. Section 601.9 (d) (27) is amended to read:

(27) *Blue civil airway No. 27 (Kodiak, Alaska, to Kotzebue, Alaska). No reporting point designation.*

78. Section 601.9 (d) (31) is amended by changing caption to read: "(31) *Blue civil airway No. 31 (New Florence, Mo., to Moline, Ill.).*"

79. Section 601.9 (d) (35) is amended to read:

(35) *Blue civil airway No. 35 (Topeka, Kans., to Kirksville, Mo.) Topeka, Kans. (AFB) radio range station.*

80. Section 601.9 (d) (36) is amended by changing caption to read: "(36) *Blue civil airway No. 36 (Thurman, Colo., to North Platte, Nebr.).*"

81. Section 601.9 (d) (39) is amended to read:

(39) *Blue civil airway No. 39 (Knorrville, Tenn., to United States-Canadian Border). Syracuse, N. Y., radio station; Watertown, N. Y., radio range station; Massena, N. Y., radio range station.*

82. Section 601.9 (d) (40) is amended to read:

(40) *Blue civil airway No. 40 (Concord, N. H., to Burlington, Vt.). Montpelier, Vt., radio range station.*

83. Section 601.9 (d) (44) is amended by changing caption to read: "(44) *Blue*

civil airway No. 44 (Advance, Mo., to the United States-Canadian Border)."

84. Section 601.9 (d) (63) is added to read:

(63) *Blue civil airway No. 63 (Olathe, Kans., to Topeka, Kans.). No reporting point designation.*

85. Section 601.9 (d) (64) is added to read:

(64) *Blue civil airway No. 64 (Lebo, Kans., to Topeka, Kans.). No reporting point designation.*

86. Section 601.9 (d) (65) is added to read:

(65) *Blue civil airway No. 65 (Garden City, Kans., to Goodland, Kans.). No reporting point designation.*

87. Section 601.9 (d) (66) is added to read:

(66) *Blue civil airway No. 66 (Bridgeport, Conn., to Poughkeepsie, N. Y.). No reporting point designation.*

88. Section 601.9 (d) (67) is added to read:

(67) *Blue civil airway No. 67 (Yuma, Ariz., to Las Vegas, Nev.). No reporting point designation.*

89. Section 601.9 (e) is amended by adding the following:

Bass Intersection: Intersection of the east course of the Norfolk, Va. (Navy) radio range and the western boundary of the New York Oceanic control area.

Carp Intersection: Intersection of the southeast course of the Wilmington, N. C., VHF radio range and the western boundary of the New York Oceanic control area.

Cod Intersection: Intersection of the east course of the Nantucket, Mass., VHF radio range and the western boundary of the New York Oceanic control area.

East Charleston Intersection: Intersection of the southeast course of the Charleston, S. C., radio range and the centerline of the Wilmington, N. C.-West Palm Beach, Fla., Domestic control area.

East Melbourne Intersection: Intersection of the northeast course of the Melbourne, Fla., radio range and the centerline of the Wilmington, N. C.-West Palm Beach, Fla., Domestic control area.

East Nantucket Intersection: Intersection of the east course of the Nantucket, Mass., VHF radio range and the southeast course of the Squantum, Mass. (Navy) radio range.

East Norfolk Intersection: Intersection of the east course of the Norfolk, Va. (Navy) radio range and the northeast course of the Weeksville, N. C. (Navy) radio range.

Eel Intersection: Intersection of the southeast course of the Boston, Mass., radio range and the western boundary of the New York Oceanic control area.

Gateway Intersection: Intersection of the east course of the Jacksonville, Fla., radio range and the centerline of the Wilmington, N. C.-West Palm Beach, Fla., Domestic Control area.

Montauk Intersection: Intersection of the east course of the New York, N. Y. (La Guardia) radio range and the southwest course of the Providence, R. I., radio range.

North Nantucket Intersection: Intersection of the east course of the Boston, Mass., radio range and the centerline of the Nantucket, Mass.-Yarmouth, N. S., Domestic control area.

Shad Intersection: Intersection of the southeast course of the Millville, N. J., radio range and the western boundary of the New York Oceanic control area.

Seal Intersection: Intersection of the south course of the Nantucket, Mass., VHF radio range and the western boundary of the New York Oceanic control area.

South Bangor Intersection: Intersection of the southeast course of the Bangor, Maine, radio range and the centerline of the Nantucket, Mass.-Yarmouth, N. S., Domestic control area.

South Island Intersection: Intersection of the southeast course of the Newark, N. J., radio range and the northeast course of the Atlantic City, N. J. (Navy) radio range.

South Millville Intersection: Intersection of the southeast course of the Millville, N. J., radio range and the southeast course of the Atlantic City, N. J. (Navy) radio range.

South Portland Intersection: Intersection of the southeast course of the Portland, Maine, radio range and the centerline of the East Boston, Mass.-Yarmouth, N. S., Domestic control area.

Smelt Intersection: Intersection of the southeast course of the Charleston, S. C., radio range and the western boundary of the New York Oceanic control area.

Trout Intersection: Intersection of the east course of the Jacksonville, Fla., radio range and the western boundary of the New York Oceanic control area.

Tuna Intersection: Intersection of the southeast course of the Newark, N. J., radio range and the western boundary of the New York Oceanic control area.

Vineyard Intersection: Intersection of the west course of the Nantucket, Mass., VHF radio range and the southeast course of the Quonset Point, R. I. (Navy) radio range.

This amendment shall become effective 0001 e. s. t., May 31, 1949.

(Secs. 205 (a), 308, 52 Stat. 984, 986; 49 U. S. C. 425 (a), 458; Reorg. Plan No. IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2421. Interprets or applies secs. 301, 302, 307, 52 Stat. 985, 986, as amended, Pub. Law 872, 80th Cong.; 49 U. S. C. 451, 452, 457)

[SEAL] D. W. RENTZEL,
Administrator of Civil Aeronautics.
[F. R. Doc. 49-4359; Filed, June 1, 1949; 8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent. Reg.¹ Corr.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1-12) is corrected in the following respect:

Item 15 of Amendment 81 is corrected to read as follows:

15. Schedule A, Item 149a, is amended to describe the counties in the Defense-Rental Area as follows:

In Dickinson County, the incorporated villages or cities of Iron Mountain, Kingsford, Norway and Vulcan, and the

¹ 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2605, 2607, 2695, 2746, 2761.

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Townships of Breitung and Norway; and in Marquette County, the incorporated villages or cities of Ishpeming, Marquette and Negaunee, and the Townships of Ishpeming, Marquette and Negaunee.

This decontrols from §§ 825.1-12 all of Dickinson and Marquette Counties in the Escanaba-Marquette, Michigan, Defense-Rental Area, except those villages, cities and townships which are specified in Schedule A, Item 149a, as hereby amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d)). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This correction shall be effective as of April 5, 1949.

Issued this 27th day of May 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-4360; Filed, June 1, 1949; 8:46 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,¹ Corr.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81-92) is corrected in the following respect:

Item 15 of Amendment 77 is corrected to read as follows:

15. Schedule A, Item 149a, is amended to describe the counties in the Defense-Rental Area as follows:

In Dickinson County, the incorporated villages or cities of Iron Mountain, Kingsford, Norway and Vulcan, and the Townships of Breitung and Norway; and in Marquette County, the incorporated villages or cities of Ishpeming, Marquette and Negaunee, and the Townships of Ishpeming, Marquette and Negaunee.

This decontrols from §§ 825.81-92 all of Dickinson and Marquette Counties in the Escanaba-Marquette, Michigan, Defense-Rental Area, except those villages, cities and townships which are specified in Schedule A, Item 149a, as hereby amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d)). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

¹ 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1869, 1932, 2061, 2062, 2085, 2177, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2746, 2761.

This correction shall be effective as of April 5, 1949.

Issued this 27th day of May 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-4361; Filed, June 1, 1949; 8:46 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

JOINT PROCUREMENT REGULATIONS

MISCELLANEOUS AMENDMENTS

The Joint Procurement Regulations, formerly published as Parts 801 to 813, inclusive, of Chapter VIII, Title 10, are amended by revision of §§ 809.601 and 809.603-3, and by addition of new §§ 809.601-1, 809.601-2, and 809.603-4, as follows:

§ 809.601 *Department of Labor publications and forms.* (Note: For Department of the Air Force only, § 809.601 will read as follows: *Publications and forms to be furnished contracting officers.* The Secretary of Labor has published a document entitled "Walsh-Healey Public Contracts Act, Rulings and Interpretations No. 3, October 1, 1945." This publication contains a compilation of the text of the act, the regulations of the Secretary of Labor relating thereto, and pertinent rulings and interpretations. Amendments to this document are published from time to time. The Commanding General Air Materiel Command, is responsible for furnishing these publications and a supply of the forms referred to therein, including Standard Form 99 (Notice of Award of Contracts) (which superseded Labor Department Form PC-1), Form PC-13 (Poster) and Form PC-12 (Form Letter) to each contracting officer under his jurisdiction. Information of interest not found in these publications set forth in §§ 809.604, 809.605 and 809.606.)

§ 809.601-1 (Applicable only within Department of the Army) *Publications to be furnished contracting officers.* The Secretary of Labor has published a document entitled "Walsh-Healey Public Contracts Act, Rulings and Interpretations No. 3, October 1, 1945." This publication, as amended, contains a compilation of the text of the act, the regulations of the Secretary of Labor relating thereto, and pertinent rulings and interpretations. Amendments to this document are published from time to time. The chiefs of the procuring activities are responsible for furnishing these publications to each of their contracting officers. Information of interest not found in these publications is set forth in §§ 809.604, 809.605 and 809.606.

§ 809.601-2 (Applicable only within Department of the Army) *Forms.* By arrangement with the Department of Labor, and based on the procurement Action Report (Reports Control Symbol CSGLD-190 (R1)) submitted to the Logistics Division, General Staff, United States Army, the Logistics Division will

forward the necessary Department of Labor Forms, PC-12 (Rev. 3/49) and PC-13 (Rev. 6/48), to applicable contractors. It will, therefore, not be necessary for contracting officers to furnish such forms to applicable contractors on transactions occurring on and after 1 July 1949. In lieu of completing and transmitting Department of Labor Form PC-1 (Notice of Award of Contract), which form has been revised and is now designated as Standard Form 99 (Notice of Award of Contracts), the contracting officer, when the Walsh-Healey Act is applicable, will submit to the Logistics Division, General Staff, United States Army, two additional copies of the Procurement Action Report (part B) (Reports Control Symbol CSGLD-190 (R1)) required by SR715-45-1. Any PC-1 forms remaining on hand after 30 June 1949 may be destroyed. Any remaining Standard Forms 99 and PC-13 forms, if available in reasonable quantities after 30 June 1949, will be transmitted to the Logistics Division, General Staff, United States Army.

§ 809.603-3 (Applicable only within Department of the Air Force) *Furnishing of forms to contractors.* (a) *Posters (Form PC-13).* Contracting officers are responsible for seeing that contractors who are awarded contracts subject to the Walsh-Healey Public Contracts Act are furnished Posters (Form PC-13) (Rev. June 48) simultaneously with the making of award, or as soon thereafter as possible. If it is known that contractor was furnished posters within a recent period, it is not necessary to furnish new ones with each contract. All copies of previously issued posters which bear a revision date other than June 1948, must be destroyed and replaced by that revised issue. The forms may be obtained from the Office Service Section, Wage and Hour and Public Contracts Division, Room 5321, Department of Labor, Washington 25, D. C. In this connection, see § 809.601.

(b) *Form Letter (Form PC-12).* Effective on and after 1 June 1949, contracting officers are also responsible for furnishing to the contractor, together with Poster (Form PC-13), a Form Letter (Form PC-12) which informs him of his responsibilities under the Walsh-Healey Act, and putting him on notice that he may be liable for work done by other companies assisting him in the performance of the contract. These forms may be obtained in the same manner as Form PC-13.

§ 809.603-4 (Applicable only within Department of the Air Force) *Notice of Award of Contracts (Standard Form 99).* Labor Department Form PC-1 (Notice of Award of Contract) has been revised and made Standard Form 99 in accordance with Bureau of the Budget regulations. A report of each contract awarded that is subject to the Walsh-Healey Public Contracts Act shall be made by contracting officers direct to the Department of Labor within a few days following the award. Such reports may be made on Labor Department Form PC-1 until the present supply is ex-

hausted; then reports shall be made on Standard Form 99.

Standard Form 99 has been made up in quintuplicate; one copy may be retained by the contracting officer and the original and three copies (complete with the interleaved carbons) shall be submitted to the Department of Labor.

[Proc. Cir. 15, 1949] (Pub. Law 413, 80th Cong.)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-4362; Filed, June 1, 1949;
8:46 a. m.]

Chapter VII—Department of the Air Force

Subchapter F—Organized Reserves

PART 861—OFFICERS RESERVE CORPS

AIR FORCE CANDIDATE OFFICER SCHOOL

Part 861 (13 F. R. 8752) is hereby amended by rescinding §§ 861.34 to 861.42 inclusive and substituting the following therefor:

§ 861.34 *Requirements*—(a) *Eligibility*. The following are eligible to apply for appointment to the Air Force Officer Candidate School and must meet the prescribed requirements.

(1) Enlisted members and warrant officers of the Regular Air Force of the United States.

(2) Former enlisted personnel, warrant officers, and flight officers who served honorably during World War II and have been returned to civilian status.

(3) Civilians.

(b) *Age*. Applicants must be between the ages of 20 years and 6 months and 26 years and 6 months at the time of initial application. Selected applicants reporting for class enrollment must not have reached their 27th birthday. No waivers for the age qualification will be granted.

(c) *Citizenship*. Each applicant must be a citizen of the United States. Applicants who are not citizens of the United States by birth must provide documentary evidence of citizenship. In the case of citizenship by naturalization or adoption, a form of certificate by an officer may be submitted as set forth in § 861.18. Under no circumstances will copies, photographic or otherwise, of naturalization certificates be made.

(d) *Mental*. Each applicant must attain an equal or higher grade than the predetermined passing grade in such mental or aptitude examinations as may be prescribed by the Chief of Staff, United States Air Force.

(e) *Educational*. Each applicant must present a transcript of credits equaling one-half the normal required credits (two years) leading to a degree from an accredited college or university or be able to pass an examination which will measure the equivalent thereof. (Personnel who possess the required college credits will be exempt from taking this examination.)

(f) *Moral*. Each applicant must be of high moral character and must possess personal qualifications.

(g) *Physical*. All applicants will be required to have a complete final-type physical examination.

(h) *General*. Applicant must possess such other general qualifications as may be prescribed by the Chief of Staff, United States Air Force.

(i) *Application*. Application will be limited to those personnel who are stationed or reside within the territorial limits of the United States, to include the zone of the interior, Hawaii, Alaska, and Puerto Rico.

(j) *Agreement to active duty*. Each applicant must agree to serve on active duty for a minimum of three years, if commissioned, unless sooner relieved by competent authority.

§ 861.35 *Ineligibles*. The following persons will not be eligible for selection or appointment, and their applications will not be accepted:

(a) Those who have been, or presently are, conscientious objectors.

(b) Those who have a record of conviction by any type of court-martial or by any civil court for other than a minor traffic violation. Request for waiver may be submitted to the Chief of Staff, United States Air Force, in the case of a minor violation which is nonrecurrent and which is not considered prejudicial to performance of duty as an officer. No waiver involving moral turpitude will be granted.

(c) Those who have been separated from the service under other than honorable conditions.

(d) Those who have held, or now are holding, a commission in any component of the armed service.

(e) Those who are drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

(f) Those denied access to classified material.

§ 861.36 *Application*—(a) *Forms and documents*. Applications for Air Force Officer Candidate School must be submitted on AF Form 160 (Officer Candidate School Application). Each application will be accompanied by a birth certificate, transcript of college or university credits where applicable, documentary evidence of citizenship if by naturalization or adoption, as outlined in § 861.34 (c), and a supplemental statement in triplicate containing the following statements:

(1) If I am enlisted in or promoted to the third enlisted grade under the authority contained in paragraph 18, Air Force Regulation 53-2, for the specific purpose of attending Air Force Officer Candidate School and fail to complete the prescribed training for any reason, I hereby request voluntary reduction from the third enlisted grade to the exact grade held at the time of my enlistment in or promotion to the third grade as provided above unless sooner reduced by competent authority.

(2) I agree to serve for three years on active duty if commissioned. (Or individuals who apply under the separate

additional quota established for the Air National Guard and the Air Force Reserve, paragraph 2b, may submit the statement, "I agree to serve on active duty for at least six months unless sooner relieved by competent authority and to participate in inactive duty training for at least three years if commissioned.")

(3) I have (have not) previously applied for Air Force Officer Candidate School.

(4) I am (am not) a member of the (Air National Guard), (Officer Reserve Corps), (Air Force Enlisted Reserve).

(5) I am (am not) a conscientious objector; I have (have not) been a conscientious objector.

(6) I am (am not) drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

(7) I have (have not) been and I am (am not) now a commissioned officer in one or more components of the armed forces.

(8) I am not (am) now and have not (have) been a member of any foreign or domestic organization, association, movement, group, or combination of persons advocating a subversive policy or seeking to alter the form of Government of the United States by unconstitutional means.

(b) *To whom forwarded*. Applications and allied papers will be forwarded by individuals in the following manner:

(1) Individuals applying under the separate additional quota established for the Air National Guard will forward applications and allied papers through the State adjutant general of the State in which they reside to the Deputy Chief of Staff, Personnel, Headquarters United States Air Force, Attention: Personnel Procurement Division, Washington 25, D. C., with appropriate remarks and recommendations. Individuals applying under the separate additional quota established for the Air Force Reserve will forward application and allied papers through proper military channels to the Deputy Chief of Staff, Personnel, Headquarters United States Air Force, Attention: Personnel Procurement Division, Washington 25, D. C.

(2) Application and allied papers of former enlisted personnel, warrant officers, and flight officers, may be submitted to any Aviation Cadet—Officer Candidate Examining Board or to the Chief of Staff, United States Air Force.

(3) Application and allied papers of civilians may be submitted to any Aviation Cadet—Officer Candidate Examining Board or to the Chief of Staff, United States Air Force.

§ 861.37 *Examinations*. Unless otherwise prescribed by the Chief of Staff, United States Air Force, each applicant for the Air Force Candidate School will be given examinations as follows:

(a) All applicants will be required to have a complete final-type physical examination. No waiver for physical disqualification will be granted.

(b) Applicants who do not present documentary evidence of one-half the required credits that normally lead to a baccalaureate degree from a nationally or regionally accredited college or uni-

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versity will be required to take the Aviation Educational Examination. The numerical score obtained in the Aviation Cadet Educational Examination will be used in computing the final composite score in the manner prescribed by the Chief of Staff, United States Air Force. Failure to attain the passing score or better in the Aviation Cadet Educational Examination will preclude further examination of the applicant by the board. Applicants who present documentary evidence of one-half or more of the prescribed credits normally leading to a baccalaureate degree from an accredited college or university will be exempt from taking the Aviation Cadet Educational Examination. Numerical credits for computing final composite score will be based on the number of years applicant has attended accredited colleges or universities, as prescribed by the Chief of Staff, United States Air Force.

(c) All Air Force Officer Candidate School applicants will be administered the Officer Candidate Test Battery.

(d) The tests and examinations contained in paragraphs (b) and (c) of this section, will be transposed into individual numerical scores for each test and combined, the sum of which will be the final composite score, in the manner prescribed by the Chief of Staff, United States Air Force. Upon successful completion of the examinations, the president of the board will so advise the applicant, and the applicant will return to his duty station or place of residence to await notice of selection or rejection for a specific class.

§ 861.38 Selection. Selections for specific Air Force Officer Candidate classes will be made from those qualified applicants on the eligible list who attain the highest composite scores in the examination prescribed in § 861.37, except that the aviation cadet eliminees recommended by the Commanding General, Air Training Command, will be placed on the list in the manner prescribed by the Chief of Staff, United States Air Force.

§ 861.39 Rejection. Qualified applicants on the eligible list who are not selected will be notified that they did not attain a sufficiently high composite score for selection to a specific class and that their application will be retained for consideration in the next class, provided they are still within the prescribed age limits. When qualified applicants are considered and fail to be selected for two consecutive classes, applications and allied papers, excluding the Officer Candidate Test Battery and Aviation Cadet Educational Examination, will be returned with the notice of nonselection. Qualified applicants who are not selected for either of the two consecutive classes may reapply for future classes, without prejudice, if they can qualify. Reapplication will necessitate complete processing.

§ 861.40 Grades, enlistments and quarters of selected applicants. (a) Selected civilians will be enlisted for three years in grades as prescribed in current directives for the purpose of attending the Air Force Officer Candidate School, and will be promoted immediately to grade 3 at the place of enlistment.

(b) Selected aviation cadet eliminees who originally entered the program from civilian status will be discharged as aviation cadets; immediately re-enlisted in the grade prescribed by current directives for the purpose of attending the Air Force Officer Candidate School; and transferred to an appropriate base within the Air Training Command pending assignment to Officer Candidate School. These individuals will be promoted to grade 3 when ordered into a specific class.

(c) Quarters allowances will be in accordance with current directives. Government quarters for dependents are not available at the school. Officer candidates will not be permitted to reside off base while attending basic training centers or Air Force Officer Candidate School.

§ 861.41 Relief from duty. Candidates may be relieved from attendance at Air Force Officer Candidate School for disciplinary reasons, disqualifying physical defects, academic deficiencies, deficiencies in leadership, denial of security clearance, or upon their own request.

§ 861.42 Disposition of nongraduates. (a) All nongraduating candidates who were promoted to the third enlisted grade will be reduced without prejudice, unless otherwise stated, to the exact grade status held immediately prior to such promotion.

(b) All personnel who were enlisted for the purpose of attending the Air Force Officer Candidate School and who fail to complete the course for any reason will be reduced in accordance with applicable Air Force directives to the enlisted grade held at the time of enlistment, unless sooner reduced by competent authority, and discharged for the convenience of the Government.

(c) The Commanding General, Indoctrination Division, Air Training Command, is authorized to retain for the next class any candidate in the Air Force Officer Candidate School who fails to complete the course through no fault of his own, or who failed but whose record is such that he may reasonably be expected to overcome his deficiency by joining the next class, provided he desires to be retained for such purpose.

(Sec. 3, 48 Stat. 154, sec. 4, Pub. Law 460, 80th Cong., sec. 4, 62 Stat. 89; sec. 207 (f), 208 (e), 61 Stat. 502, 503; 10 U. S. C. 352, 353; 5 U. S. C. Sup. 626, 626c; Transfer Order 10, Apr. 27, 1948, 13 F. R. 2428)

[SEAL]

L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 49-4341; Filed, June 1, 1949;
8:47 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

LIMITATIONS ON TRAINING IN EXCESS OF FOUR YEARS

In § 21.206, the title and the following listed paragraphs and subparagraphs are

amended: (a) (1) (i), (ii), (iii), (iii) (d), and (b) (2). New paragraphs (a) (1) (iv) and (c) are added, and present paragraph (c) is revised and renumbered (d).

§ 21.206 Limitations on training in excess of four years. * * *

(a) *Conditions for approval of training in excess of four years.* (1) * * *

(i) The vocational handicap resulting from the veteran's disablement is such that no course of training which does not exceed 4 years will restore him to employability consistent with his disability and aptitudes, or

(ii) Circumstances beyond the control of the veteran necessitate the extension beyond a period of 4 years of a training program which was originally planned for completion within 4 years, or

(iii) The vocational handicap resulting from the veteran's disablement is such that although a course of training of 4 years or less will restore him to employability consistent with his disability, because of special circumstances in the individual case of the veteran, it is determined through comprehensive advisement procedure that an objective requiring training in excess of 4 years is the only suitable objective as indicated by:

(d) The results of selected tests which not only confirm the choice of objective but indicate high probability of success in attaining that objective, or

(iv) The veteran is in training under conditions as in paragraph (c) (5) of this section.

(b) *Training on the job in excess of four years.* * * *

(2) That where a veteran has not acquired knowledge, skills, or experience which may be credited toward completion of the course or where the knowledge, skills, or experience acquired by a veteran are insufficient for the veteran to be allowed enough credit to enable him to complete the course in 4 years or less, there is clear indication that he will be employable and rehabilitated after completing a period of training not exceeding 4 years under Part VII or under both parts. Such determination is based on the fact that the law requires the restoration of employability rather than the completion of a course which satisfies fully the requirements for journeyman status, and in the case of any veteran inducted into training under this subparagraph employability will be considered as having been restored and thus the veteran will be considered rehabilitated inasmuch as the veteran will be in employment at a living wage in the occupation for which training was prescribed and provided, with the probability of continued employment in the same occupation as evidenced by satisfactory pursuit of the course and the usual increases in earnings.

(c) *Medical internship.* (1) The provisions of paragraph (a) (1) (i), (ii), and (iii) of this section may not be invoked to authorize including in the course of vocational rehabilitation a medical internship or any part thereof. Medical internship is not to be confused

with hospital residency or specialty training courses. Medical internship in excess of 1 year may not be pursued under Part VII.

(2) If the 1 year medical internship can be completed without exceeding the 4 year statutory limitation, it will be authorized for the objective physician, 0-26.10.

(3) If the 1 year medical internship cannot be completed without exceeding the 4 year statutory limitation, only such part as can be completed within the 4 year period will be authorized, except as in subparagraph (5) of this paragraph.

(4) If the necessary school courses alone require 4 years or more, no part of the medical internship may be authorized, except as in subparagraph (5) of this paragraph.

(5) When a veteran, after proper consideration under all applicable provisions of Veterans' Administration policies, is inducted into training in one of the few medical schools which as a prerequisite to conferring the M. D. degree requires appointment to, enrollment in, or completion of an internship, and to complete such internship will necessitate exceeding the statutory 4 years of training, such internship shall be authorized and recorded as a part of the individual training program without regard to paragraph (a) (1) (i), (ii), and (iii) of this section.

(d) *Authority for approval of courses in excess of four years.* (1) Under the conditions set forth in paragraph (a) (1) (i), (ii), and (iii) of this section, managers of regional offices are authorized to approve or disapprove courses of training in excess of 4 years, basing such action upon the recommendation of a committee composed of the chief, vocational rehabilitation and education division, the chief, education and training section, and the chief, advisement and guidance section or their assistants.

(2) Subject to other applicable provisions of the law, any training which is afforded in excess of 4 years as provided herein will be at the expense of the government and subsistence allowance is payable.

[SEAL]

O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 49-4357; Filed, June 1, 1949;
8:49 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Rev. S. O. 775-A]

PART 95—CAR SERVICE

DEMURRAGE ON RAILROAD FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of May, A. D. 1949.

Upon further consideration of Service Order No. 775 (13 F. R. 2379, 2569, 2679,

3737, 3763, 5238, 5571, 6423, 8309) and good cause appearing therefor:

It is ordered, That:

Section 95.775 Service Order No. 775, *Demurrage on railroad freight cars*, be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 11:59 p. m., May 31, 1949; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 49-4375; Filed, June 1, 1949;
8:48 a. m.]

[Rev. S. O. 776-A]

PART 95—CAR SERVICE

CAR DEMURRAGE ON STATE BELT RAILROAD OF CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of May A. D. 1949.

Upon further consideration of Service Order No. 776 (13 F. R. 2380, 2570, 2679, 3737, 5571, 6423, 8310) and good cause appearing therefor:

It is ordered, That:

Section 95.776 Service Order No. 776, *Car demurrage on State Belt Railroad of California*, be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 11:59 p. m., May 31, 1949; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 49-4376; Filed, June 1, 1949;
8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 104—BRISTOL BAY AREA

PART 109—COOK INLET AREA

SALMON AND HERRING FISHERY

Basis and purposes. The prohibition of commercial salmon fishing each week from 6 o'clock antemeridian Wednesday to 6 o'clock antemeridian Thursday in addition to the statutory week-end closure is necessary only during the period of the intensively fished red salmon runs, i. e., June 25 to August 1. Only limited fisheries are conducted for king and silver salmon which run, respectively, before and after these dates. Because the conservation of king and silver salmon in Bristol Bay is not threatened by the present degree of exploitation, it is not necessary to curtail operations for those species by midweek closures.

Large scale herring fishing has been prohibited in Kachemak Bay in Cook Inlet since 1928, when intensive exploitation virtually eliminated the local supply. Because observations indicated at least partial restoration of abundance, the regulations were modified in 1949 to permit a 10,000 barrel catch of herring with purse seines within a certain portion of Kachemak Bay. This was intended to allow an experimental testing of actual abundance, and the regulation was promulgated only after widespread advertising elicited no opposition to the proposal. Subsequently, however, vigorous complaint has originated from local inhabitants of the area, manifested in petitions and in Senate Memorial No. 6 of the Alaskan Legislature. Because no positive evidence exists that herring actually do occur in abundance in Kachemak Bay, and because of the overwhelming demand for continued protection, the regulation in effect for the past twenty years is now being restored.

In order to revoke the midweek closed period during the king salmon runs occurring prior to June 25 in Bristol Bay and to continue the previous protection of Kachemak Bay herring, the following provisions are adopted.

SALMON FISHERY

1. Section 104.5 is amended to read as follows:

§ 104.5 *Weekly closed period.* In the period June 25 to July 31, both dates inclusive, fishing is prohibited from 6 o'clock antemeridian Wednesday to 6 o'clock antemeridian Thursday, in addition to the 36-hour statutory closed period, thus making a total weekly closure of 60 hours.

RULES AND REGULATIONS

HERRING FISHERY

2. Section 109.22 is amended to read as follows:

§ 109.22 *Waters closed to purse seines.* The use of purse seines is prohibited in Kachemak Bay and tributary waters within a line from Nubble Point to Bluff Point.

3. Section 109.22a is deleted.

Fishing for king salmon in Bristol Bay commences about the first of June. In order to remove the burdensome and unnecessary midweek closure during the entire period of king salmon fishing activity, it has been determined that the amendment to § 104.5 shall become effective immediately upon publication in the FEDERAL REGISTER. Amendment to § 109.22 and deletion of § 109.22a shall

become effective 30 days after publication in the FEDERAL REGISTER.

(44 Stat. 752; 48 U. S. C. 221 et seq.)

Date: May 25, 1949.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

[F. R. Doc. 49-4346; Filed, June 1, 1949; 8:48 a. m.]

PROPOSED RULE MAKING

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-415]

PROPOSED TRADE PRACTICE RULES FOR THE OIL HEATING INDUSTRY OF NEW ENGLAND STATES AREA

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 26th day of May 1949.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties (including consumers) affected by or having an interest in the proposed trade practice rules for the Oil Heating Industry of the New England States, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 20, 1949. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., June 20, 1949, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties (including consumers) who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4320; Filed, June 1, 1949; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 927]

MILK IN NEW YORK METROPOLITAN AREA

NOTICE OF PUBLIC MEETING FOR CONSIDERATION OF PROPOSED AMENDMENT TO RULES AND REGULATIONS

Pursuant to provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR, Supps.

927.1 et seq., 14 F. R. 1466), regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001-1011), notice is hereby given of a public meeting to be held on June 3, 1949, at 10 a. m., e. d. s. t., at the office of the Marketing Administrator, 205 East Forty-second Street, New York, New York, for consideration of a proposed amendment to the rules and regulations heretofore issued (11 F. R. 11266, 12 F. R. 457, 3241, 13 F. R. 2709, 14 F. R. 519, 1476) pursuant to said order. Interested persons will be afforded an opportunity to participate in the meeting through the submission of written data, views, or arguments or to present the same orally. Copies of the said rules and regulations as heretofore issued and of the proposed amendment to be considered at this public meeting may be procured from the market administrator.

The proposed amendment to be considered at said public meeting on June 3, 1949 consists of the following proposed changes:

1. (Proposed by Aerated Products Yonkers Co., and Reddi-wip Mfg. Co. of New York City):

A. Amend § 927.101 (w) ¹ by adding at the end thereof the following: "Cream products which are charged with harmless gas and sold as such in sealed containers for purposes including decorations or toppings for frozen desserts, and the mixture from which such products are made, shall be deemed to be such decorations."

B. Amend § 927.101 (x) by changing the first sentence thereof to read as follows: "'Homogenized mixture' means the product which results from homogenizing a mixture containing milk solids, moisture, and sugar (or other sweetening agent) or other ingredients, and which is prepared for use in the manufacture of frozen desserts or of cream products which are charged with harmless gas and sold as such in sealed containers."

2. (Proposed by Milk Dealers' Association of Metropolitan New York, Inc.):

A. Amendments to § 927.101:

Change (e) *Milk* (2) to read as follows: "the product composed of skim milk and of not less than 3 percent nor more than 7 percent butterfat. This definition shall not be deemed to include products that are included in other definitions of this section."

Expand definition of "fluid cream products" so as to include products composed

¹ Paragraph references are those prior to the changes included in the Tentative Amendment issued on April 28, 1949.

of skim milk and not less than 7 percent butterfat.

Add new definitions:

Reconstituted cream is cream made in whole or in part from frozen cream which is sold as fluid cream and not used in the manufacture of cultured or flavored milk drinks, egg nog, or any other products.

"Egg nog" means that mixture of milk, cream and other dairy products with eggs or egg products and flavoring added which contains not less than 8% butterfat and which is sold and distributed under the name of "egg nog." Other ingredients may be added.

B. Amendments to § 927.102 (c): Add:

In the event that the total butterfat accounted for at the plant is greater than the total butterfat to be accounted for, first deduct an amount not to exceed 1% of the butterfat accounted for. The balance of the excess shall be accounted for as follows:

(1) If the plant is in the marketing area and received or shipped fluid milk, the excess shall be considered to have been received in the form of milk from an undisclosed source and be subject to the payments required in § 927.9 (h) (2) (iii). If the plant did not receive or ship fluid milk such excess shall be classified as Class II.

[(2) and (3) to remain as at present.]

C. Amendment to § 927.102 (j): Add subparagraph (16) to read:

(16) Cream used in the manufacture of Class III cheese other than cream cheese and cheese subject to the butter-cheese differential, 2.5 percent.

D. Amendment to § 927.102 (w): Add "reconstituted cream, egg nog" after the words "sour cream."

E. Amendment to § 927.105 (c) (8): Delete last sentence and replace with "Provided, That if this identification is not made, the principle of 'First-in-first-out' shall apply."

F. Amendment to § 927.105 (a) *Conversion factors*:

Product:	Test in percent
Add:	
Heavy cream.....	36
Medium cream.....	25
Other cream (except New Jersey)....	18
Other cream (New Jersey).....	16
Delete:	
Cream (except New Jersey).....	18
Cream (New Jersey).....	16

3. (Proposed by the Market Administrator):

A. Amend § 927.101 (k) by adding the following proviso: "Provided, That, for the purposes only of accounting for the butterfat in this part such term shall also mean non-pooled cream assigned

to cream reported pursuant to § 927.6 (c) (1), and which meets the requirements of § 927.4 (c) (5) (ii) of the orders as a basis of classification for pooled milk."

B. Amend § 927.102 as follows:

Delete paragraph (p).

Amend paragraph (q) to read as follows:

(q) Deduct butterfat in opening inventories or received in the form of plain condensed milk from the classes of butterfat leaving the plant or in the closing inventories at the plant in the form of plain condensed milk. Deduct any remaining butterfat in opening inventories or received in the form of plain condensed milk pro rata from butterfat

on hand at or leaving the plant in the form of frozen desserts, homogenized mixtures, evaporated milk, sweetened condensed milk, milk powder, other concentrated milk products, or candy products. Deduct remaining butterfat in opening inventories or received in the form of plain condensed milk from butterfat in products in which the handler claims to have used such butterfat. If any butterfat in opening inventories or received in the form of plain condensed milk remains, it shall be deducted from plant loss.

C. Amend § 927.107 by adding new paragraphs (d), (e), and (f) as follows:

(d) The total butterfat in frozen cream separated at a plant in any one

month will be assumed to be pooled and non-pooled butterfat in the same proportion as butterfat assigned to total Class III at the plant in the month when the cream is separated.

(e) Frozen cream assigned to cream (either sweet or sour), classified as Class II, will be considered to be pooled cream to the extent available.

(f) Frozen cream assigned to butter will be considered to be non-pooled cream to the extent available.

Issued this 25th day of May 1949.

[SEAL]

C. J. BLANFORD,
Market Administrator.

[F. R. Doc. 49-4407; Filed, June 1, 1949;
8:56 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORE SPACE RESTORATION NO. 419

MAY 20, 1949.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with 43 CFR, sec. 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), and Order No. 319 of July 19, 1948 (43 CFR 50.451, 13 F. R. 4278), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve which may hereafter be created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371), is hereby revoked as to the following described lands:

T. 4 S., R. 4 E., Fairbanks Meridian.
Secs. 19, 29, 30, 31 and 32: All portions lying on the right limits of the Tanana River.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 49-4347; Filed, June 1, 1949;
8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938 and section 1 (b) of the Walsh-Healey Public Contracts Act have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938 (sec. 14, 52 Stat. 1068; 29 U. S. C. 214) and Part 525 of the regulations issued thereunder (29

CFR, Cum. Supp., Part 525, amended 11 F. R. 9556), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR, Cum. Supp., 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Upper Susquehanna Branch Pennsylvania Association for the Blind, 1246 Vine Avenue, Williamsport, Pennsylvania; at a wage rate of not less than the piece rate paid nonhandicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 15 cents per hour, whichever is higher, and a rate of not less than 5 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective June 1, 1949, and expires November 30, 1949.

Minneapolis Society for the Blind, Inc., 1936 Lyndale Avenue South, Minneapolis, Minnesota; at a wage rate of not less than the piece rate paid nonhandicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 22 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective May 23, 1949, and expires April 30, 1950.

Travis County Association for the Blind, 2101 Fredericksburg Road, Austin, Texas; at a wage rate of not less than the piece rate paid nonhandicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 15 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective June 1, 1949, and expires May 31, 1950.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is

limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 23d day of May 1949.

JACOB I. BELLOW,
Assistant Director,
Field Operations Branch.

[F. R. Doc. 49-4354; Filed, June 1, 1949;
8:49 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

AMENDED VOLUNTARY STEEL ALLOCATION PLAN FOR WARM AIR HEATING EQUIPMENT¹

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, as amended, and Executive Order 9919 (after consultation with representatives of the steel producing industry and manufacturers of warm air heating equipment

¹Formerly designated "Voluntary Plan, Under Public Law 395, 80th Congress, for Allocation of Steel Products for Warm Air Heating Equipment for Residential Housing."

for residential housing, and after expression of the views of industry, labor and the public generally at an open public hearing held on March 14, 1949), has determined that the following action with respect to the previously approved Voluntary Plan, under Public Law 395, 80th Congress, for allocation of Steel Products for the Manufacture of Warm Air Heating Equipment for Residential Housing (13 F. R. 4106) is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, as amended:

Therefore the said Voluntary Plan is hereby reinstated as of February 28, 1949, is redesignated as captioned above, and is amended to read as follows:

1. *Scope and purpose of plan.* In order to provide for the minimum required supply of building materials for (1) the construction of new residential housing and (2) the essential maintenance, repair and conversion of existing residential housing, the steel producers participating herein will, in addition to the quantities made available before February 28, 1949, make steel products available, or will cause such steel products to be made available (out of the production of their own mills or the mills of their subsidiaries or affiliates), at the rate of approximately 26,400 tons per month for the months of April, May, and June, 1949, to manufacturers of the kinds of warm air heating equipment for residential housing listed in Schedule A hereto who comply with the provisions of this amended Plan. Such manufacturers are hereinafter referred to as participating Manufacturers.

2. *Agreement by steel producers.* (a) The quantities of each type of such steel products so to be made available by each of the steel producers shall, except as may be otherwise specified in any such steel producer's acceptance hereof, be such as the Secretary of Commerce (after consultation with the Steel Task Committee of the Office of Industry Cooperation of the Department of Commerce) determines to be fair and equitable, in order to accomplish, as nearly as may be, the supply of steel products, on an average monthly basis, in the approximate quantities and to the several classes of participating Manufacturers listed in Schedule A hereto. Producers will take credit against their commitments under this Plan only for quantities delivered on orders certified in accordance with paragraph 4 (b) below.

(b) Each steel producer participating herein will, however, upon request of the Secretary of Commerce, give consideration to making such steel products available for the purposes of this amended Plan in amounts additional to the amounts provided for in its acceptance of this amended Plan.

(c) Such steel products will be made available under such contractual arrangements as may be made by the respective steel producers or their subsidiaries and affiliates with the respective participating Manufacturers, and no request or authorization will be made by the Department of Commerce relating to the allocation of orders or customers or to the allocation of business among cus-

tomers nor will any request or authorization be made to such steel producers for any limitation or restriction on the production or marketing of any such steel products. Nothing herein contained shall be construed as authorizing or approving any fixing of prices, and the participation herein of any steel producer shall not affect the prices or terms and conditions on which any such steel products as are made available are actually sold and delivered.

(d) Each steel producer participating herein will make available or cause to be made available only those steel products which are within the type and size limitations of the mill or mills which it may select for the production of such products and the quantities of steel products which it will make available or cause to be made available in any month during said period may be reduced, or at its option the delivery thereof may be postponed in direct proportion to any production losses which it or such subsidiary or affiliate shall sustain during any such month due to causes beyond its or their control.

(e) Each such steel producer will, if requested by the Office of Industry Cooperation of the Department of Commerce (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942) report to the Office of Industry Cooperation the quantities of the several types of steel products shipped or scheduled for shipment pursuant to certified purchase orders, in any monthly period or periods during the operation of this amended Plan.

3. *Allocations to manufacturers.* The quantities and types of steel products to be made available hereunder to the respective participating Manufacturers shall be determined by the Secretary of Commerce on the basis of reports received from the Manufacturers and after consultation with the Warm Air Heating Industry Task Committee, subject to such revision, if any, from time to time, as may be deemed necessary by the Secretary of Commerce. For the purposes of such determination, consideration will be given to past production records, manufacturing facilities, and inventories of finished products.

4. *Agreement by manufacturers.* (a) By participation herein, the participating Manufacturers shall be obligated to place certified orders under this plan only in accordance with allocations established by the Secretary of Commerce; to use all steel products made available under the Plan solely in the production of warm air heating equipment of the kinds listed in Schedule A hereto and suitable for use in the construction, maintenance, repair or conversion of residential housing; not to resell or transfer any of the steel products (except to such subsidiary, affiliate or subcontractor as may be designated by any such manufacturer for the fabrication of such end products) in the form received by such Manufacturers; and not to build up inventory of such steel products beyond current needs for the purpose hereof.

Participation in the benefits of this Plan shall at all times be contingent upon

each participating Manufacturer's continued strict compliance with the provisions hereof. In the event of any actual or prospective non-compliance by any participating Manufacturer, the Secretary of Commerce may, after written notice to the participating Manufacturer, take such action as he deems warranted with respect to the Manufacturer's participation in the Plan, including partial or total suspension or termination of participation privileges and notification to the participating steel producers not to make any or certain further shipments under the Plan to such Manufacturer.

(b) Each purchase order for steel products to be made available hereunder shall bear the following certification of the participating Manufacturer placing such purchase order:

We hereby certify and agree that the steel products specified in this order will be used for the production of _____ and that this order is placed under Section 4 (a) of the Amended Voluntary Steel Allocation Plan for Warm Air Heating Equipment.

(c) Each participating Manufacturer shall furnish reports (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942) on forms furnished by the Secretary of Commerce, from time to time, as the Secretary of Commerce may deem desirable or necessary, showing such information as may be requested, including quantities and types of steel products required, quantities and types received from all sources, quantities and kinds of warm air heating equipment produced, and other relevant data.

5. *Participation.* After approval hereof by the Attorney General and by the Secretary of Commerce, and after requests for compliance herewith shall have been made of steel producers and manufacturers of warm air heating equipment by the Secretary of Commerce, any such steel producer or any such manufacturer of warm air heating equipment may become a participant herein by advising the Secretary of Commerce, in writing, of its acceptance of such request. Such requests for compliance will be effective for the purpose of granting certain immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, as amended, only with respect to such steel producers and such manufacturers of Warm Air Heating Equipment as notify the Secretary of Commerce in writing that they will comply with such requests.

6. *Clarifying interpretations.* Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General), in writing, to clarify the meaning of any terms or provisions in this Plan shall be binding upon all participants notified of such interpretation.

7. *Effective date.* Upon the date of its final approval by the Secretary of Commerce this amendment shall become effective, as of the close of business, February 28, 1949, and shall cease to be effective at the close of business on September 30, 1949, or on such earlier date as may be determined by the Secretary of Commerce, upon notice by

letter or by publication in the FEDERAL REGISTER, not less than sixty days prior to such earlier date.

8. *Withdrawal from plan.* Any such steel producer or manufacturer of warm air heating equipment may withdraw from this Plan by giving not less than sixty days' written notice of its intention to the Secretary of Commerce.

Approved: April 4, 1949.

CHARLES SAWYER,
Secretary of Commerce.

Approved: April 4, 1949.

TOM C. CLARK,
Attorney General.

SCHEDULE A

1. The following kinds of warm air heating equipment for residential housing are covered by the Voluntary Steel Allocation Plan for Warm Air Heating Equipment (as amended):

- (a) Warm Air Furnaces (including jackets and casings for such furnaces).
- (i) Conventional type.
- (ii) Floor and wall type.
- (b) Registers and Grilles.
- (c) Furnace Blowers.
- (d) Furnace Pipe, Fittings and Duct Work.

2. The quantities of each type of steel products to be made available monthly during the period April 1 to June 30, 1949, for each kind of warm air heating equipment listed below will be approximately as follows:

Warm air heating equipment	Steel products			
	H. R. sheets and strip (tons)	C. R. sheets and strip (tons)	Galvanized and coated sheets (tons)	Total (tons)
Warm air furnaces (including jackets and casings for such furnaces):				
Conventional type.....	6,500	4,500	1,250	12,250
Floor and wall type.....	450	1,000	650	2,100
Registers and grilles.....	400	1,600		2,000
Furnace blowers.....	150	800	100	1,050
Furnace pipe, fittings and duct work.....		100	8,900	9,000
Total.....	7,500	8,000	10,900	26,400

APRIL 4, 1949.

GENTLEMEN: Enclosed is a copy of the above amended Voluntary Plan which has been approved by the Attorney General and myself pursuant to Public Law 395, 80th Congress (as amended by Public Law 6, 81st Congress), and Executive Order 9919.

Acting pursuant to said Law and Executive Order, I hereby request compliance by you with the amended Voluntary Plan. This request will not be effective for the purpose of granting immunity from the anti-trust laws of the United States and the Federal Trade Commission Act, as provided in Section 2 (c) of Public Law 395, 80th Congress, as amended, unless you promptly agree in writing to comply herewith.

Two copies of a suggested form for your use in evidencing acceptance of this request are enclosed. One copy is to be returned to me and the other retained for your files.

May we have your reply within ten days from the date of this letter?

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

NOTE: The above request for compliance with the Department of Commerce Amended Voluntary Steel Allocation Plan for Warm Air Heating Equipment was sent to steel companies listed on an attachment filed with the original document.

[F. R. Doc. 49-4377; Filed, June 1, 1949; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

¶[Docket No. 8976]

TELEVISION BROADCASTING FREQUENCIES ORDER AMENDING ISSUE

In the matter of utilization of frequencies in the band 470 to 890 Mcs. for television broadcasting; Docket No. 8976.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of May 1949.

No. 105—3

The Commission, having under consideration the record of the proceeding herein;

It appearing, that a hearing on the issues specified in the order of May 5, 1948 instituting the proceeding herein was held from September 20 through September 23, 1948, at which time such hearing was adjourned subject to further call;

It further appearing, that on July 12, 1948, in connection with the proceedings in Docket No. 8974, "In the Matter of Allocation of Frequencies Between 450-460 Mc.", The Bell Telephone Laboratories, Inc. filed a formal petition requesting that the Commission consider the establishment of a multi-channel broad band common carrier mobile radio allocation between 400-500 Mc.;

It further appearing, that, in connection with the proceedings in said Docket No. 8974, and certain other related proceedings in Dockets Nos. 8658, 8972, and 9046, the Commission has concluded that the merits of such petition should be considered in connection with any proceeding regarding the allocation of spectrum space for UHF television service above 470 Mcs.;

It is ordered, That the order of May 5, 1948 herein is hereby amended to add the following issue:

(5) To receive evidence and data with respect to the question whether there should be an allocation of the band 470-500 Mcs. to multi-channel broad band common carrier mobile radio operation in lieu of television broadcasting;

It is further ordered, That the afore-said petition of The Bell Telephone Laboratories, Inc. is incorporated in the record herein, and The Bell Telephone Laboratories, Inc. is hereby granted leave to participate in this proceeding.

It is further ordered, That the caption to the proceedings in Docket No. 8976 is amended to read in the manner specified in the above caption.

Released: May 26, 1949.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4367; Filed, June 1, 1949; 8:48 a. m.]

[Docket No. 9189]

HUSH-A-PHONE CORP. AND AMERICAN TELEPHONE AND TELEGRAPH CO. ET AL.

ORDER DESIGNATING APPLICATION FOR PUBLIC HEARING

In the matter of Hush-A-Phone Corporation and Harry C. Tuttle, complainants, v. American Telephone and Telegraph Company, et al., defendants; Docket No. 9189.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of May 1949;

The Commission, having under consideration a complaint filed on December 22, 1948, by the Hush-A-Phone Corporation, and its president, Harry C. Tuttle, alleged manufacturers, distributors, sellers and users of a device known as the "Hush-A-Phone," against the Associated Telephone Company, Ltd., of Santa Monica, California and the following Bell System companies:

American Telephone & Telegraph Co.
The Bell Telephone Co. of Pennsylvania.
The Chesapeake & Potomac Telephone Co.
The Chesapeake & Potomac Telephone Co. of Baltimore City.
The Chesapeake & Potomac Telephone Co. of Virginia.
The Chesapeake & Potomac Telephone Co. of West Virginia.
The Cincinnati & Suburban Bell Telephone Co.
The Diamond State Telephone Co.
Illinois Bell Telephone Co.
Indiana Bell Telephone Co.
Michigan Bell Telephone Co.
The Mountain States Telephone & Telegraph Co.
New England Telephone & Telegraph Co.
New Jersey Bell Telephone Co.
New York Telephone Co.
Northwestern Bell Telephone Co.
The Ohio Bell Telephone Co.
The Pacific Telephone & Telegraph Co.
Southern Bell Telephone & Telegraph Co.
The Southern New England Telephone Co.
Southwestern Bell Telephone Co.
Wisconsin Telephone Co.

it being alleged in said complaint that each of the above-named defendants publishes tariff provisions with this Commission, or concurs in such tariff provisions, which are erroneously construed by defendants to prohibit their customers from using said Hush-A-Phone device in connection with interstate and foreign message toll and private line telephone services furnished by the defendants; that, assuming that the defendants are correctly construing said tariff provisions, said tariff provisions are unlawful under the provisions of the Communications Act of 1934, as

amended, insofar as they prohibit the use of the Hush-A-Phone device in connection with interstate and foreign message toll and private line telephone services; and that as a result of the foregoing alleged actions of the defendants, complainants have been and will continue to be seriously damaged; and it being requested in said complaint that the Commission issue forthwith an order directing defendants immediately to discontinue the practices complained of until further order on the complaint, and further, that the Commission order defendants to change their tariff provisions so as to permit, in clear and unambiguous language, the use of the Hush-A-Phone device in connection with the facilities furnished by defendants; and the Commission also having under consideration the answers filed on February 1, 1949, to the above complaint by the defendants herein, in which they request that the complaint be dismissed;

It appearing, that from an examination of the above complaint and answers, issues are presented which should be investigated and determined by the Commission by means of a public hearing;

It further appearing, that, in its answer to the complaint herein, Associated Telephone Company, Ltd. requests that the complaint be dismissed as to it, on the basis of allegations that it is a connecting carrier within the meaning of the applicable provisions of the Communications Act of 1934, as amended, and that it is, therefore, not subject to the jurisdiction of this Commission for the purposes of said complaint;

It further appearing, that the jurisdictional issue presented by the above contention of Associated Telephone Company, Ltd. is of a substantial nature, and, therefore, should appropriately be determined on the basis of a public hearing;

It further appearing, that, because of the controversial nature of the issues presented by the complaint and answers thereto, issuance forthwith of an order herein, as requested by complainants, would be unwarranted;

It is ordered, That pursuant to the provisions of sections 201, 202, 205 and 208 of the Communications Act of 1934, as amended, a public hearing on the above complaint shall be held at the offices of the Commission in Washington, D. C., on the 22d day of June 1949, beginning at 10:00 a. m.; and that in addition to such other issues as may be presented by said complaint and the answers thereto, said hearing shall include the following matters:

(1) The nature and extent of the public need and demand for the use of the Hush-A-Phone device in connection with interstate and foreign telephone services;

(2) The effect of the use of the Hush-A-Phone device on the quality of interstate and foreign telephone services and on the equipment furnished by the defendants in connection with such services;

(3) Whether the provisions of the effective tariff regulations of the defendants applicable to interstate and foreign telephone services are properly to be construed as prohibiting telephone users from using Hush-A-Phone devices in

connection with telephone facilities of the defendants;

(4) If the effective tariff regulations of defendants may properly be construed to prohibit telephone users from attaching Hush-A-Phone devices to defendants' telephone facilities for use in connection with interstate and foreign telephone services;

(a) Whether such regulations are unjust and unreasonable and therefore unlawful under the provisions of section 201 (b) of the Communications Act of 1934;

(b) Whether, by virtue of such regulations, the defendants, in violation of the provisions of section 202 (a) of the Communications Act of 1934, are making an unjust or unreasonable discrimination, are subjecting the users of Hush-A-Phone devices to an undue or unreasonable prejudice or disadvantage, or are making or giving any undue or unreasonable preference or advantage to the users of other devices who, under effective tariff regulations of defendants, are permitted to attach such other devices to defendants' telephone facilities for use in interstate and foreign telephone services;

(c) Whether, in the light of facts developed in connection with the foregoing, the Commission, in accordance with the provisions of section 205 of the Communications Act, should prescribe a tariff regulation which will permit the use of Hush-A-Phone devices in connection with interstate and foreign telephone services, and, if so, the kind of tariff regulation which should be so prescribed;

(5) Whether, under the provisions of the Communications Act of 1934, the Commission has jurisdiction to entertain the complaint herein insofar as the Associated Telephone Company, Ltd. is concerned;

It is further ordered, That copies of this order shall be served upon each of the defendants and upon all telephone carriers subject to the Communications Act of 1934, as amended; the agency of each state having regulatory jurisdiction with respect to telephone service; the National Association of Railroad and Utilities Commissioners; and the United States Independent Telephone Association and each of the above carriers, agencies, and organizations is hereby given leave to intervene and participate fully in the proceedings;

It is further ordered, That J. Fred Johnson, Jr., Hearing Examiner, is assigned to preside at the hearing herein, and that an initial decision in lieu of the Commission's proposed decision be prepared by the presiding officer in accordance with the provisions of §§ 1.851 (b) and (c) of the rules and regulations of the Commission;

Notice is hereby given, that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4368; Filed, June 1, 1949;
8:47 a. m.]

WVIM

PUBLIC NOTICE CONCERNING THE PROPOSED ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on May 16, 1949, there was filed with it an application (BAL-874) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of station WVIM, Vicksburg, Mississippi, from P. K. Ewing, Jr., F. C. Ewing, and Myrtle M. Ewing, d/b as Ewing Broadcasting Company, to Radio Mississippi, Inc. The proposal to assign the license arises out of a contract of April 22, 1949 pursuant to which Ewing Broadcasting Company agrees to sell the said station WVIM to the said Radio Mississippi, Inc., for a consideration of \$30,000 payable in cash upon the grant of the said application by the Federal Communications Commission, the said \$30,000 in cash in the meanwhile being placed in a bank in escrow pending action on the said application. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 16, 1949, that starting on May 18, 1949, notice of the filing of the application would be inserted in a newspaper of general circulation at Vicksburg, Mississippi in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from May 18, 1949, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4369; Filed, June 1, 1949;
8:47 a. m.]

VOICE OF TALLADEGA, INC. (WHTB)

PUBLIC NOTICE CONCERNING THE PROPOSED TRANSFER OF CONTROL¹

The Commission hereby gives notice that on March 31, 1949, there was filed with it an application (BTC-745) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Voice of Talladega, Inc., licensee of WHTB, Talladega, Alabama, from Melvin Hutson to R. A. Davidson. The proposal to transfer control arises out of a contract of March 25, 1949, pursuant to which Melvin Hutson proposes to sell his interest consisting of

¹ Section 1.321, Part 1, Rules of Practice and Procedure.

80 shares or 60% in Voice of Talladega, Inc., to R. A. Davidson for \$16,500, payable \$8,250 in cash with \$8,250 represented by notes, payable \$100 a week with interest at 4%. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 16, 1949, that starting on March 23, 1949, notice of the filing of the application would be inserted in the Daily Home, a newspaper of general circulation at Talladega, Alabama, in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from March 23, 1949, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4370; Filed, June 1, 1949;
8:47 a. m.]

KXLO

PUBLIC NOTICE CONCERNING THE PROPOSED
ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on May 16, 1949, there was filed with it an application (BAL-873) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of station KXLO, Lewistown, Montana, from Capital Broadcasting Company to W. G. Kelly and V. J. Morgan, d/b as Montana Broadcasting Company. The proposal to assign the license arises out of a contract of March 28, 1949, providing for the assignment of the license of station KXLO and the simultaneous sale of all personal property, leasehold improvements and real estate used in connection therewith, to William G. Kelly and Victor J. Morgan, doing business as Montana Broadcasting Company, a partnership, existing under the laws of the State of Montana, for the consideration of \$50,000; payable \$15,000 in cash and balance of \$35,000 at the rate of \$350 payable monthly, with interest of 4% on the unpaid balances, and subject to terms and conditions and provisions particularly expressed in the memorandum agreement of such sale. Further information as to the arrangements may be found with the application and associated papers which are on file at the office of the Commission in Washington, D. C.

¹Section 1.321, Part 1, Rules of Practice and Procedure.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 16, 1949, that starting on May 17, 1949, notice of the filing of the application would be inserted in the Lewistown Daily News, a newspaper of general circulation at Lewistown, Montana, in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from May 16, 1949, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-4371; Filed, June 1, 1949;
8:47 a. m.]

WEDR

PUBLIC NOTICE CONCERNING THE PROPOSED
ASSIGNMENT OF PERMIT¹

The Commission hereby gives notice that on May 13, 1949, there was filed with it an application (BAP-113) for its consent under section 310 (b) of the Communications Act to the proposed assignment of permit of station WEDR, Birmingham, Alabama, from E. M. McElroy and J. E. Reynolds d/b as Magic City Broadcasting Company to Magic City Broadcasting Co., Inc. The proposal to assign the permit arises out of a contract of April 9, 1949, pursuant to which the assignor sells and the assignee purchases all the assets and properties of station WEDR under the following terms and conditions: (1) E. M. McElroy is to receive the total sum of \$1,000 in cash; (2) J. E. Reynolds is to receive twenty shares of common stock of the capital stock of the Magic City Broadcasting Co., Inc., of the par value of \$100 each, and is to receive and share equally in the remaining capital stock issued for monies paid in by the other two stockholders at any time in the future, this according to the terms of an agreement with the other two stockholders and directors of the Magic City Broadcasting Co., Inc., and the said J. E. Reynolds is also to be President, General Manager, and a Director in said corporation for the initial terms as provided in the by-laws of the corporation; (3) Corporation is to assume payment of and pay all the existing and outstanding obligations, debts, and indebtedness of the said E. M. McElroy and J. E. Reynolds, doing business as Magic City Broadcasting Company, including, but without limiting the generality thereof, all engineering fees and attorneys' fees owed, incurred by or outstanding against the said partnership, or for which it may be in anywise obligated to make payment; (4) Corporation assumes payment of all costs, expenditures and liabilities for construction, erection, improvement,

building and the like involved in the installation and equipping for operation of a radio transmitter tower, studio, broadcasting facilities, transmission lines, equipment and the like, including the payment for a plot of ground of approximately four and four-tenths (4⁴/₁₀) acres located in Jefferson County, Alabama, for a remaining balance of \$1,900 to be paid to the Montgomery Real Estate and Insurance Company of Birmingham, Alabama, or if such plot of ground is not acceptable to the Federal Communications Commission, the Corporation will purchase or lease another suitable site and location for a radio tower and transmitter to be selected. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 13, 1949, that starting on May 14, 1949, notice of the filing of the application would be inserted in a newspaper of general circulation at Birmingham, Alabama, in conformity with the above rule.

In accordance with the procedure set out in said rule, no action will be had upon the application for a period of 60 days from May 14, 1949, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WILLIAM P. MASSING,
Acting Secretary.

[F. R. Doc. 49-4372; Filed, June 1, 1949;
8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1211]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

MAY 31, 1949.

Notice is hereby given that on May 20, 1949, an application was filed with the Federal Power Commission by Texas Eastern Transmission Corporation (Applicant), a Delaware corporation with its principal office at Shreveport, Louisiana, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing (1) the transportation and sale, on an interruptible basis, of volumes of natural gas not taken by any authorized purchaser of firm gas under orders of the Commission (a) to any purchaser now or in the future authorized to receive firm gas under orders of the Commission and (b) to any other purchasers to the extent that volumes of such available gas are not taken under (a) hereof; and (2) the construction and operation of such metering and regulating equipment and minor

NOTICES

connecting pipelines as may be necessary to make such sales of surplus natural gas.

The application states that the Commission has authorized sales of natural gas by Applicant to 27 purchasers designated in Dockets Nos. G-880, G-1003 and G-1089 on a firm basis, but it appears that such purchasers may not take their full daily contract quantities continuously throughout the year. In Docket No. G-1003, the Commission authorized sales of gas to The East Ohio Gas Company, The Peoples Natural Gas Company, and New York State Natural Gas Corporation in certain volumes and in addition authorized the sales to those companies of those quantities of gas which may not be taken by other purchasers specified in that Docket. In Docket No. G-1089, the Commission authorized Applicant to make available to National Gas and Oil Corporation gas which is surplus to the needs of other purchasers of firm gas from Applicant. Applicant states that it is now apparent that surplus gas will be available on its pipeline system in excess of quantities which will be sold by Applicant to purchasers designated in Dockets Nos. G-1003 and G-1089, and Applicant requests authority from the Commission to offer such surplus gas, as, if and when available, to all of its purchasers of firm gas, in proportion to their respective daily contract quantities, and to other purchasers to the extent that all of such surplus is not taken by the designated purchasers of firm gas. Applicant further states that the entire authorized capacity of its pipeline system will not be in full operation until early in 1950 and it is not now possible to make a valid estimate of the total amount of surplus gas which may be available from time to time for distribution on an interruptible basis. Applicant proposes to sell such surplus gas as is accepted by any buyer for resale pursuant to its Rate Schedule I-1, Interruptible Service.

Applicant states that, in view of the type of service proposed in the application, no new facilities will be constructed, except such metering and regulating equipment and minor connecting pipe lines, as may be necessary to make such sales of surplus gas.

Applicant contends that it is in the public interest, and in the interest of its present and future firm gas customers, to receive the authority requested, in view of the continued excess demand over supply of natural gas in the Appalachian area, and further, in view of the effect on the reasonableness of rates if Applicant is unable to operate its transmission pipeline system at a high capacity factor.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or con-

current hearing, together with reasons for such a request.

The application of Texas Eastern Transmission Corporation is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4403; Filed, June 1, 1949;
8:58 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-420]

TIE FABRICS INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE
CONFERENCE

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 27th day of May 1949.

In the matter of trade practice conference proceedings for the Tie Fabrics Industry; File No. 21-420.

Notice is hereby given that a trade practice conference under the auspices of the Federal Trade Commission will be held for the Tie Fabrics Industry on June 21, 1949, at the offices of the Building Trades Employers Association, 26th floor, 2 Park Avenue, corner of 32d Street, New York City, commencing at 2 p. m., d. s. t.

An official of the Federal Trade Commission will preside.

Members of the industry are the persons and concerns who operate as converters with respect to textile fabrics intended for use principally in the manufacture of men's neckwear, with which are included so-called integrated producers. Industry members acquire such fabrics by purchase or production, loom-finished or in the grey, unfinished, or semi-finished state; have the goods dyed, printed, or finished in accordance with their own specifications or those of their customers; and supply such finished or processed fabrics to necktie manufacturers.

All members of the industry are cordially invited to send representatives and to take part in the conference.

The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

By direction of the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4368; Filed, June 1, 1949;
8:47 a. m.]

[Docket No. 5454]

PRETORIUS APPROVED PRODUCTS

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1949.

In the matter of Martin W. Pretorius and Marie Joyce, co-partners doing business in the name of Martin W. Pretorius, and as Pretorius Approved Products; Docket No. 5454.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Earl J. Kolb, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Monday, August 8, 1949, at ten o'clock in the forenoon of that day P. s. t. in Room 535, United States Post Office and Court House, Los Angeles, California.

Upon the completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4365; Filed, June 1, 1949;
8:47 a. m.]

[Docket No. 5537]

VOGUE PRODUCTS

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 25th day of May A. D. 1949.

In the matter of Walter M. Jakway, an individual doing business as Vogue Products; Docket No. 5537.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Abner E. Lipscomb, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Monday, September 26, 1949, at ten o'clock in the forenoon of that day (P. S. T.), in Room 535, United States Post Office and Court House, Los Angeles, California.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-4366; Filed, June 1, 1949;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2142]

UNITED CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 25th day of May 1949.

The United Corporation ("United"), a registered holding company, having filed an application pursuant to section 10 of the Public Utility Holding Company Act of 1935 with respect to the acquisition by it of up to 91,030 shares of common stock of The Columbia Gas System, Inc., and up to 30,000 additional shares of such stock in accordance with an additional subscription privilege, all pursuant to an offer by The Columbia Gas System, Inc., of additional shares of common stock to its common stockholders in accordance with their preemptive rights; and

Said application having been duly filed, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the applicable requirements of the act are satisfied, and deeming it appropriate in the public interest and in the interest of in-

vestors and consumers that said application be granted:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the application be, and the same hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-4348; Filed, June 1, 1949;
8:48 a. m.]

[File No. 54-133]

ASSOCIATED GAS AND ELECTRIC CO. ET AL.

ORDER GRANTING EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 25th day of May 1949.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, NY PA NJ Utilities Company, General Gas & Electric Corporation, General Public Utilities Corporation, Associated General Utilities Company, Metropolitan Edison Company, Gas & Electric Associates; File No. 54-133.

An application for approval of a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 having been filed by Stanley Clarke, Trustee of Associated Gas and Electric Company, a registered holding company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and the following direct or indirect subsidiaries of the said two registered holding companies: NY PA NJ Utilities Company, General Gas & Electric Corporation, General Public Utilities Corporation (formerly Associated Utilities Corporation), and Gas & Electric Associates, each of which is a registered holding company, and Metropolitan Edison Company and Associated General Utilities Company; and the said plan proposing that various securities registered in the name of Day & Co., Dean & Co., Drake & Co., and Holland & Co. be transferred and delivered to the respective applicants above named, as beneficial owners of such securities, and that Day & Co., Dean & Co., Drake & Co., and Holland & Co., be dissolved; and

The Commission having on November 1, 1945, made and filed its findings and opinion and order (Holding Company Act Release No. 6180) and approved the plan subject to the conditions specified in Rule U-24 of the General rules and regulations promulgated pursuant to said act; and

The Commission having, from time to time, upon the request of applicants, extended the time for consummating the transactions proposed by said plan; and

Applicants having advised the Commission that Dean & Co., Drake & Co., and Holland & Co. have been dissolved and that all the transactions referred to

in said plan have been consummated except those relating to Day & Co., and having requested that time for such consummation be extended to and including November 15, 1949; and

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that such extension of time be granted:

It is ordered, That the time for consummating such transactions be, and hereby is, extended to and including November 15, 1949.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-4349; Filed, June 1, 1949;
8:48 a. m.]

[File No. 70-2123]

TEXAS UTILITIES CO. AND TEXAS POWER & LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 25th day of May 1949.

Texas Utilities Company ("Texas Utilities"), a registered holding company subsidiary of American Power & Light Company and Electric Bond and Share Company, both registered holding companies, and its subsidiary Texas Power & Light Company ("Texas Power"), having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7, 9 (a), 10 and 12 (f) thereof and Rules U-23 and U-43 of the rules and regulations promulgated thereunder, with respect to the following proposed transactions:

Texas Power proposes to issue and sell to Texas Utilities, and Texas Utilities proposes to purchase, 2,500,000 shares of no par value common stock for a cash consideration of \$3,000,000. At present Texas Utilities owns 2,600,000 shares of no par value common stock of Texas Power, being all of the issued and outstanding common shares. Texas Power proposes to amend its charter so as to increase its authorized common stock from 3,000,000 to 6,000,000 shares of no par value and will request approval by its stockholders of such amendment. The application-declaration states that the funds to be obtained by Texas Power from this sale of stock will, with other funds, be used to finance its construction program.

The application-declaration having been filed on May 2, 1949, notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to the application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the said application-declaration, that

NOTICES

the requirements of the applicable provisions of the act and the rules thereunder have been satisfied, the Commission being of the opinion that it is appropriate to grant and permit to become effective said application-declaration, without the imposition of terms and conditions other than those hereinafter ordered, and the Commission also deeming it appropriate to grant applicant-declarant's request that the order herein become effective forthwith upon the issuance thereof;

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act that said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-4350; Filed, June 1, 1949;
8:48 a. m.]

[File No. 1-3363]

COOPER DISTRIBUTING CO.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1949.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Class A Common Stock, Par Value \$1.00, of Cooper Distributing Company.

The application alleges that (1) the reason for striking this security from registration and listing on the applicant exchange is that the number of shares of stock which remain outstanding in the hands of the public has become so reduced as to make inadvisable further dealings upon the exchange therein; (2) the number of publicly held shares remaining outstanding has been reduced to 15,478 shares in the hands of 132 holders; and (3) the rules of the New York Curb Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to June 24, 1949, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be deter-

mined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-4351; Filed, June 1, 1949;
8:49 a. m.]

[File No. 1-3363]

COOPER DISTRIBUTING CO.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1949.

The Philadelphia-Baltimore Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Class A Common Stock, Par Value \$1.00, of Cooper Distributing Company.

The application alleges that (1) the reason for striking this security from registration and listing on the applicant exchange is that the number of shares of stock which remain outstanding in the hands of the public has become so reduced as to make inadvisable further dealings upon the exchange therein; (2) the number of publicly held shares remaining outstanding has been reduced to 15,478 shares in the hands of 132 holders; and (3) the rules of the Philadelphia-Baltimore Stock Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to June 24, 1949, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 49-4352; Filed, June 1, 1949;
8:49 a. m.]

[File No. 70-2151]

AMERICAN POWER & LIGHT CO. AND FLORIDA POWER & LIGHT CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of May A. D. 1949.

Notice is hereby given that a joint application-declaration has been filed by American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and American's utility subsidiary Florida Power & Light Company ("Florida"), under the Public Utility Holding Company Act of 1935, and has designated sections 6 (a), 7, 9 (a), 10 and 12 (f) thereof and Rules U-43 and U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Florida has outstanding 2,100,000 shares of common stock without nominal or par value, all of which is owned by American. Florida proposes to issue and sell to American and American proposes to acquire 350,000 additional shares of the common stock of Florida for a cash consideration of \$6,000,000.

American and its electric utility subsidiary, Kansas Gas & Electric Company ("Kansas") have on file with this Commission a joint declaration (File No. 70-2131) contemplating, among other things, the sale by American of not to exceed 450,000 shares of common stock of Kansas owned by American. The proceeds of said sale are to be used to enable American to make certain investments in its subsidiaries, including \$6,000,000 in the common stock of Florida. In the event American makes such investments prior to the sale of the Kansas stock, such investments are proposed to be made from the proceeds to be derived by American from temporary borrowings of not to exceed \$13,000,000, which are to be repaid, in whole or in part, from the proceeds to be derived by American from the sale of the Kansas common stock.

The funds necessary to enable American to invest \$6,000,000 in Florida, as proposed herein, are to be raised as contemplated in the joint declaration filed by American and Kansas.

The 350,000 additional shares of Florida's common stock proposed to be acquired by American, together with the 2,100,000 shares presently owned by American are to be distributed to American's common and preferred stockholders pursuant to a pending reorganization plan for American filed under section 11 (e) of the act (File No. 54-168).

The application-declaration states that "American and Florida request that the Commission enter its order herein authorizing and permitting American to make an investment of \$6,000,000 in the equity of Florida and authorizing and permitting Florida to issue and sell to American 350,000 shares of its common stock, and that the Commission retain jurisdiction in the premises and, after it

is determined whether such investment will be made directly out of proceeds to be derived by American from the sale of Kansas common stock or out of the proceeds of temporary bank borrowings to be made by American and prior to the time when American makes such investment and Florida issues and sells such stock, the Commission, on application of American and Florida, enter such supplemental order as shall be appropriate, containing recitals as to said investment by American and as to said issuance and sale of stock by Florida as are contemplated by the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof."

Florida also proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, \$10,000,000 principal amount of First Mortgage Bonds -- % Series, due 1979 to be issued under and to be secured by the Company's present existing Mortgage and Deed of Trust dated January 1, 1944, as supplemented by the First Supplemental Indenture thereto dated July 1, 1947, and by the Second Supplemental Indenture thereto dated June 1, 1948, and as it will be supplemented by the proposed Third Supplemental Indenture to be dated June 1, 1949.

It is contemplated that the cash to be received by Florida, as a result of the sale of its common stock and bonds, will be used to finance, in part, its construction program for 1949 and to repay short-term borrowings from banks which presently amount to \$2,200,000 and which, it is estimated, may amount to approximately \$3,200,000 at the time of the proposed sale of common stock and bonds.

Notice is further given that any interested person may not later than June 8, 1949 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 8, 1949 said application-declaration, as filed, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under said act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application-declaration which is on file with the Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-4353; Filed, June 1, 1949;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13316]

SABURO NAKASONE

In re: Real property and property insurance policy owned by Saburo Nakasone.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Saburo Nakasone, whose last known address is Nakagami gun, Misatomura, Aza Hiyan, Okinawa, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property situated at Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Saburo Nakasone in and to Fire Insurance Policy No. 1566, issued by Milwaukee Mechanics Insurance Company, Milwaukee, Wisconsin, in the amount of \$1,500.00, which policy expires June 27, 1949, and insures the real property described in subparagraph 2-a hereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 25, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All of those certain parcels of land situate, lying and being at Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii, and being Lots Numbers Eighteen (18) and Nineteen (19), in Block "C" of the tract of land known as the "Ulu Tract," as shown on the map thereof filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Twenty-six (26).

Said parcels of land as described above having been conveyed by Ed. Townsend to Saburo Nakasone by Deed, dated February 23rd, 1928, and recorded in the Office of the Registrar of Conveyances at Honolulu in Liber 925 on Pages 342-343.

[F. R. Doc. 49-4325; Filed, May 31, 1949;
8:50 a. m.]

RECONSTRUCTION FINANCE CORPORATION NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Reconstruction Finance Corporation, Washington, D. C.; 22602; Property described in Vesting Order No. 201 dated October 2, 1942 (F. R. 625, January 16, 1943) relating to United States Letters Patent Number 1,901,407.

Executed at Washington, D. C., on May 25, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4330; Filed, May 31, 1949;
8:51 a. m.]

[Return Order 304]

MRS. EMILIE VOGL

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement there-

of, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Mrs. Emilie Vogl, 12 Square Gabriel Faure, Paris 17e, France; Claim No. 5128; February 8, 1949 (14 F. R. 560); \$1,699.50 in the Treasury of the United States. 22½% of all royalties that have accrued to Editions Charles Brull and not been paid to the Attorney General, and 22½% of all future royalties accruing to Editions Charles Brull by virtue of a contract concluded on January 28, 1937 between the said Editions Charles Brull and Harms, Inc., and 22½% of all other future royalties accruing from the exploitation of the composition "I Kiss Your Hand Madame" in the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 25, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4373; Filed, June 1, 1949; 8:48 a. m.]

[Return Order 305]

Fritz Rotter

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Fritz Rotter, 111 South Flores, Los Angeles 36, California, Claim No. 6154; February 8,

1949 (14 F. R. 560), \$1,699.50 in the Treasury of the United States. 22½% of all royalties that have accrued to Editions Charles Brull and not been paid to the Attorney General, and 22½% of all future royalties accruing to Editions Charles Brull by virtue of a contract concluded on January 28, 1937, between the said Editions Charles Brull and Harms, Inc., and 22½% of all other future royalties accruing from the exploitation of the composition "I Kiss Your Hand Madame" in the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 25, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4374; Filed, June 1, 1949; 8:48 a. m.]

[Return Order 271]

JOHN M. FRIEDLE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

John M. Friedle, San Francisco, Calif., Claim No. 5878, January 25, 1949 (14 F. R. 331); \$7,659.06 in the Treasury of the United States. Fire Insurance policies insuring the improvements of the property located at 4647 Cabrillo Street, 4726 Cabrillo Street and 842-844 48th Avenue, respectively, all in San Francisco, Calif. Personal property consisting of household effects including furniture, bedding and kitchen equipment located in the premises known as 4726 Cabrillo Street, San

Francisco, Calif. All right, title, interest and claim of any kind or character whatsoever of John M. Friedle in and to the Estate of Elsie Cammel Friedle, deceased.

Real property situated in the City and County of San Francisco, California, described as follows: Lot 18-E in Block 1596, Lot 31, Lot 37 and Lot 38 in Block 1690. Lot 2 and Lot 3 in Block 2901B as per Map entitled "Subdivision #4, Miraloma Park". Lot 25 in Block 2509. Lot 3 and Lot 4 in Block 6623.

Real property situated in El Cerrito, Contra Costa County, California, described as follows: Portion of Lot 87 containing 224/1000 acres as designated on the map entitled "Berkeley Country Club Terrace (Unit No. 1) Contra Costa County, California," which map was filed in the office of the Recorder of the County of Contra Costa, State of California, on September 18, 1922 in Volume 18 of Maps at page 402, described as follows: Commencing at the point of intersection of the East line of Stockton Avenue with the North boundary line of Lot 87 as per map above referred to, running thence along said North boundary line of said Lot 87 South 77° 46' 10" East 90.91 feet to East boundary line of said Lot 87; thence along said East boundary line of said Lot 87 South 16° 14' 30" East 87.56 feet; thence leaving said East boundary line of said Lot 87 North 88° 09' West 125.48 feet to said East line of said Stockton Avenue; thence along said East line of said Stockton Avenue North 6° 36' 50" East 75 feet; and thence continuing along said East line of said Stockton Avenue North on the arc of a circle of 560 feet radius, deflecting to the right of Eastward and tangent to last mentioned course, a distance of 25 feet to the point of commencement.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 25, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4327; Filed, May 31, 1949; 8:50 a. m.]